

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.No.1044/94

New Delhi, this the 23rd day of May, 1994.

CORAM

HON'BLE MR S.R. ADIGE, MEMBER (A)

Shri V.D. Trivedi,  
Commissioner of Income Tax,  
R/o D-2/11, Subramaniam Bharti Marg,  
NEW DELHI

....Applicant

By Advocate : Shri P.N. Mishra

VERSUS

1. Union of India, through  
Assistant Director of Estates (Type-E)  
Directorate of Estates,  
Nirman Bhavan,  
NEW DELHI.

2. Estate Officer,  
and Asstt. Director (Litigation)  
Directorate of Estates,  
Nirman Bhavan,  
NEW DELHI-11.

....Respondents

ORDER

The applicant Shri V.D. Trivedi, Commissioner of Income Tax and allottee of D-2/11, Subramaniam Bharti Marg, New Delhi, has by this application prayed for quashing of the Assistant Director of Estate's Letter dated dated 15.04.94 (Not filed) whereby the allotment has been cancelled with retrospective effect from 14.05.91 and Notice dated 9.5.94 (Annexure-B issued by the Assistant Director of Estate (Litigation) , for showing cause on 23.05.94 against eviction proceedings.

2. Interim relief has also been prayed that till the disposal of the O.A., the operation of the Impugned Letter as well as the Notice be stayed.

3. Shri P.N. Mishra, Learned counsel for the Applicant was heard in the matter.

27

4. At the outset, it is noticed that there is nothing on record to indicate that the applicant has exhausted the remedy available to him of filing an appeal against the Assistant Director of Estates Order dt 15.4.94 cancelling the allotment, before the Director of Estates.

5. Secondly, from the impugned Notice dated 9.5.94, it is clear that the applicant has been given an opportunity to show cause on 23.05.94 , why an Order of eviction should not be made. under PP (EOU)Act, will be open to the Applicant to satisfy the Estate Officer that he should not be evicted.

6. Under the circumstances, this application is premature and no interference in this matter is warranted at this state. The O.A.1044/94 is accordingly dismissed at the admission stage itself.

*S.R. Adige*  
(S.R. ADIGE)  
MEMBER (A)

sss