

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

O.A.No.1882/94 Dated: 19.1.95.

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

Shri Bhagwati Prasad,
s/o late Guna Nand Thapliyal,
r/o A-153, Type I, Minto Road,
New Delhi-110 002, working as a
Constable in the Delhi Police and posted
presently at Rajouri Garden Police Station,
New DelhiApplicant.
By Advocate Shri K.N.Bahuguna.
VERSUS

1. Union of India,
through the Secretary,
Ministry of Urban Development &
Housing, Nirman Bhawan,
Maulana Azad Road,
New Delhi- 110 011.
2. Directorate of Estates,
Nirman Bhawan,
Maulana Azad Road,
New Delhi -110 011.
3. Commissioner of Police,
Police Headquarters,
Indraprastha Estate,
New Delhi - 110 002

By Advocate Shri M.K.Gupta, for respondents No.1 and 2.
and Shri Anoop Bagai for respondent No.3.

JUDGMENT

In this application, Shri Bhagwati Prasad, Constable Delhi Police, resident of A-153, Type I, Minto Road has prayed for/a direction to the respondents to make a provision in the allotment of police accommodation rules to the effect that the adhoc allotments would also be made to the police officials whose parents are holding general pool accommodation; ii) and that quarter A-153 Type I, Minto Road, be regularised in his name.

2. This case came up for hearing on 18.1.95

Shri Bahuguna prayed for time to file rejoinder which

was opposed by respondents' counsel Shri M.K. Gupta who stated that the applicant was unnecessarily trying to prolong the case on flimsy grounds. When Shri Bahuguna was asked as to/which specific points he wanted to file rejoinder, he stated that it was only to reiterate the contents of paragraph 4.12 of the O.A. that certain police officials consequent upon the retirement of their parents from the Govt. service and who were holding General pool accommodation prior to coming into force the Police Accommodation Rules, were allotted accommodation standing in the name of their father. As this point has already been averred in the O.A. and the applicant had already been granted two weeks' time to file rejoinder on the last date, the prayer for further time to file rejoinder was rejected.

3. The first prayer for relief viz. to direct the respondents to make certain provisions in the Police Accommodation Rules is summarily rejected, because it is not the function of the Tribunal to direct the respondents which rules ^{they} are to frame and which not to.

4. As regards the second prayer viz. allotment/regularisation of Quarter No.A-153 Type I, Minto Road, New Delhi, Shri Gupta has invited my attention to the fact that this very prayer had been agitated by the applicant in O.A.No.498/93 Shri Gun Nand & Bhagwati Prasad Vs. UOI, which was dismissed vide judgment dated 15.12.93 and was again agitated by the applicant in O.A.No.1649/94 Bhagwati Prasad Vs. UOI, which also ^{was} dismissed, vide judgment dated 5.9.94.

5. Manifestly, this action of the applicant in

repeatedly agitating a claim which has been twice dismissed, is a waste of judicial time and is an abuse of ^{the} process of law. Normally, I would have imposed costs in the case but in view of the economic circumstances of the ^{inapplicable} case by way of indulgence, I refrain from doing so.

6. This application is dismissed. No costs.

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

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