

18

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH NEW DELHI

O.A. NO.2216/2000

New Delhi, this the 01st Feb. 2002

Hon'ble Shri Govindan S. Tampi, Member (A)

Sh. Jai Prakash,  
S/o Sh. Kartare Ram,  
R/o H. No . 24, Sadar Bazar,  
Delhi Cantt.

.....Applicant

(By Shri S.K. Rungta, Advocate)

VERSUS

National Capital Territory of Delhi  
through Director Social Welfare,  
Department of Social Welfare,  
NCT Govt. of Delhi,  
Curzon Road, New Delhi.

.....Respondents

(By Ms Sumedha Sharma, Advocate)

O R D E R (ORAL)

Heard Shri S K Rungta and Ms. Sumedha Sharma  
learned counsel for the applicant and respondents  
respectively.

2. The applicant who works as a Safai Karmachari  
in Senior Higher Secondary School for blind boys, Sewa  
Kutir , Kingsway Camp is seeking allotment of a  
residential quarters available in the premises. Sh.  
Rungta learned <sup>counsel</sup> for the applicant brings to my attention  
the fact that the applicant's request of 20.6.2000 has  
been duly endorsed by the Principal on 29.7.2000 pointing  
out that his presence in the premises would facilitate the  
matters considerably and that it deserved consideration.  
In the response, filed on behalf of the respondents Smt.  
Sumedha Sharma, learned counsel, very strongly contests  
the pleas made by the applicant and states that applicant  
has come to the Tribunal prematurely without approaching

(18)

the Department as was expected and the applicant had not filed any application for accommodation in the prescribed proforma circulated by the Department. O.A. therefore, has to fail, she pleads.

3. I have carefully considered the matter and find that the applicant has a strong case. Case of the applicant for allotment of a quarter in the Sewa Kutir Campus itself has been justified and endorsed by the Principal's letter dated 19.7.2000, who has averred that the availability of the applicant in the Sewa kutir would increase the efficiency of his work and the cleanliness of the campus. The only defence placed by the respondents that the applicant had not filed the application in the prescribed proforma cannot be accepted as the proforma has been prescribed by letter of 17.10.2000 while the applicant has made the request on 23.6.2000, and the same has been endorsed on 10.7.2000. Merely because of his not filing the request in prescribed proforma, the applicant cannot be denied the consideration for accommodation, more so as the format <sup>had</sup> not <sup>been</sup> circulated when he submitted his application.

4. In the above view of the matter, OA succeeds and is accordingly allowed. The applicant shall file an application in the format circulated vide respondents' letter dated 17.10.2000. This will be formalisation of the application made by him earlier. Respondents shall treat this application as having been filed <sup>by</sup> him on 23.6.2000.

-3-

23.6.2000, the date when his early application endorsed by the Principal of the School on 10.7.2000, was filed, with appropriate priority and consider it in accordance with law. This exercise shall be completed within four months from the date of receipt of a copy of this order.

No costs.

(Govindan S. Tampi)  
Member (A)

Patwal/