

CENTRAL ADMINISTRATIVE TRIBUNAL
 PRINCIPAL BENCH, NEW DELHI

R.A.No.376/94 IN
 O.A.No.781/93

NEW DELHI THIS THE 17th DAY OF NOVEMBER, 1994.

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

Dr (Mrs) K.A. Shyamini,
 D/o Shri V.K. Ayyapunny,
 R/o A-187, Pandara Road,
 NEW DELHI.

Senior Medical Officer in
 CGHS, Ministry of Health &
 Family Welfare,
 Govt of India,
 New Delhi.

...Applicant

(By Advocate : None)

VERSUS

1. Union of India, through
 Secretary,
 Ministry of Urban Development,
 Government of India,
 Nirman Bhavan,
 New Delhi.
2. The Secretary,
 Ministry of Health & Family Welfare,
 Government of India,
 Nirman Bhavan,
 New Delhi.
3. The Director of Estates,
 Directorate of Estates,
 Ministry of Urban Development,
 Govt. of India,
 Nirman Bhavan,
 New Delhi.

....Respondents

(By Advocate : None)

ORDER (By Circulation)

Hon'ble Shri S.R. Adige, Member (A)

In this application bearing No.376/94

Dr (Mrs)K.A. Shyamini has prayed for review
 of judgement dated 23.09.1994 in O.A.781/93,

Dr (Mrs) Shyamini Vs Union of India & Others

2. In the impugned judgement ^{dismissing the O.A.} it was noticed that the applicant had earlier filed O.A.1259/91 praying that the quarter No.A-187, Pandara Road, New Delhi, which stood allotted to her father be regularised in her name consequent to his retirement from government service on 28.2.89. By judgement dated 21.05.92 in that O.A. the respondents were directed to regularise the said quarter in the applicant's name, if she was eligible for the same or alternatively allot her some other Type-II accommodation to which she was eligible, subject to her giving an undertaking that she would maintain the retiree and his family, and subject to her paying rent/damages as per extant rules for the occupation of the premises allotted to her father and retention beyond his retirement i.e. 28.2.89. The applicant had cleared ^{the} dues upto 31.5.1991 and it was for her to have cleared the dues from 1.6.91, atleast till the date of receipt of the copy of the judgement dated 21.05.92 to enable the respondents to perform their part of the directions contained ^{but this she did not do.} in the judgement dated 21.05.92. The respondents on their part were willing to allot her the quarter of the eligible type, subject to her clearing the dues upto September, 92. In this connection, the applicant's entitlement for accommodation on the relevant date i.e. the date of superannuation of her father, was only for Type-III accommodation based upon her basic pay, and she was, therefore, eligible only for type below i.e. one/Type-II accommodation. It was also noted

in the impugned judgement that the respondents as a special case were even willing to consider allotting the applicant a Type II quarter, subject to her clearing all the pending dues, but as she did not clear the dues beyond 31.05.91, she did not abide by the direction contained in the Tribunal's judgement dated 21.05.92 (Supra), and under the circumstances the respondent's action in seeking to recover the dues and their refusal to regularise the existing accommodation or allot alternate accommodation could not be faulted. Accordingly by impugned judgement dt 23.09.94, the O.A. was dismissed.

3. The impugned judgement dated 23.09.94 (Supra) is, therefore, fully in order, and perusal of the contents of the R.A. makes it clear that no grounds for review have been made out within the scope and ambit of Order 47 Rule (1) of C.P.C. This Review Application is rejected.

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

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