

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

O.A. No. 1705/90
T.A. No.

199

DATE OF DECISION 22.02.1991.

<u>Shri Mahesh Chand</u>	Petitioner
<u>Shri A.S. Grewal</u>	Advocate for the Petitioner(s)
Versus	
<u>Commissioner of Police</u>	Respondent
<u>Mrs. Avnish Ahlawat</u>	Advocate for the Respondent(s)

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The Hon'ble Mr. P.K. KARTHA, VICE CHAIRMAN (J)

The Hon'ble Mr. M.M. SINGH, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement? *ye*
2. To be referred to the Reporter or not? *NO*
3. Whether their Lordships wish to see the fair copy of the Judgement? */ NO*
4. Whether it needs to be circulated to other Benches of the Tribunal? */*

JUDGMENT (ORAL)

(of the Bench delivered by Hon'ble Mr. P.K. Kartha,
Vice Chairman (J))

We have heard the learned counsel of both parties.

The relief sought in this application is for quashing the impugned order dated 24.7.1990, whereby the respondents asked the applicant to vacate the Government Quarter No.S-4/1, Police Colony, Andrews Ganj, New Delhi, and to pay rentable charges at market rent from 8.5.1986 to the date of eviction. The pleadings in this case are complete. The application has not been admitted. We feel that the application could be disposed of at the admission stage itself and we proceed to do so.

[Signature]

2. The applicant has stated that he has filed OA 302/1990 in the Tribunal wherein he has challenged the order of dismissal passed against him. It is in view of this, he is praying that he should be allowed to retain the Government quarter allotted to him. The learned counsel of the respondents states that the applicant has not paid any licence fee to the tune of Rs.31,806.00 till² November, 1990. According to the respondents, the applicant will be entitled to retain the Government quarter only for a period of 30 days from the date of dismissal.

3. The application was filed in the Tribunal on 22.8.1990. On 24.8.1990 an interim order was passed directing the respondents not to dispossess the applicant from the Government quarter subject to his liability to pay licence fee etc. under the relevant rules. The applicant has not paid any licence fee in compliance with the order passed by the Tribunal.

4. After hearing the learned counsel of both parties, we are of the opinion that the applicant is not entitled to retain the Government quarter as prayed for in this application. The application is, therefore,

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dismissed at the admission stage itself. The interim order passed on 24.8.1990 and continued thereafter stands vacated with immediate effect.

There will be no order as to costs.

H. H. Sinner
(M.M. SINGH) 22/2/91
MEMBER (A)

arr. J
(P.K. KUMAR)
VICE CH. JUDGE
22/2/91