

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

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O.A.NO. 2480/91

DATE OF DECISION: 01.05.92:

SH. S.K. MANI

APPLICANT

VERSUS

UNION OF INDIA & ORTHERS

RESPONDENTS

CORAM:

THE HON'BLE MR. T.S. OBEROI, MEMBER(J)

THE HON'BLE MR. B.N. DHOUNDIYAL, MEMBER(A)

FOR THE APPLICANT : SH. S.D. SHARMA WITH
SH. R.R. RAI, COUNSEL

FOR THE RESPONDENTS : SH. R.L. DHAWAN

1. Whether Reporters of Local Papers may be allowed to see the Judgement or not? Yes
2. To be referred to the Reporters or not? No

JUDGEMENT(ORAL)

(delivered by Hon'ble Mr. T.S. Oberoi, Member(J).

We have heard the learned counsel for the parties.

A perusal of the material on record shows that the applicant had filed an appeal dated 22.7.1991 (Annexure -H to the OA), which, however, could not be decided by the Appellate Authority, as, in the meantime, the applicant had also filed the present O.A. before this Tribunal. Presumably, the hurdle in the way of the respondents for not deciding the appeal ^{was} that after admission of the O.A., they could not have proceeded further, in terms of Section 19(4) of the Administrative Tribunals Act, 1985. Thus, the statutory remedy available to the applicant could

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not be availed of/granted to her, by due consideration of the appeal filed by her, in accordance with the provisions of Law.

Considering the above situation, we direct the respondents to look into the appeal filed by the applicant, referred to as above, and decide the same within two months from today. In the interest of justice, we also direct that the applicant shall not be dispossessed of the accommodation, presently in her occupation, till expiry of two weeks after the decision of the appeal, so as to enable her to seek appropriate relief, in the event the appeal goes against her.

O.A. is disposed of as above, with no order as to costs.

A copy of this order be provided to both the parties, dasti.

B. N. (Signature)
(B.N. DHOUNDIYAL)
MEMBER(A)

(Signature)
(T.S. OBEROI)
MEMBER(J)