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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

O.A.No.823 of 1991.

Date of Decision 28.5.93

Jaman NathApplicant.

Versus

Commissioner of Police.....Respondent
Delhi Police, Delhi.

CORAM:

Hon'ble Mr.J.P.Sharma, Member(J),

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

For the applicant: Shri B.B.Raval, Counsel.

For the respondent: Shri Gajraj Singh.

JUDGMENT

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

This is an application filed by Jaman Nath, a Dismissed Constable of Delhi Police, impugning the orders dated 20.2.91 (Annexure-A2) and 7.3.91 (Annexure-A3) cancelling the allotment of Government Quarter S-4/3 Type-I, Police Colony, Andrews Ganj, New Delhi and directing him to vacate the same.

2. On 20.5.93, Shri Gajraj Singh-learned counsel for the respondents was heard. Shri B.B.Raval-learned counsel for the applicant stated that he was busy in a part-heard case and, therefore, prayed for adjournment. Shri Gajraj Singh had, however, pressed that the hearing of the case should be concluded on 20.5.93 itself. However, Shri Raval was given further opportunity to argue his case on next day i.e. 21.5.93. On that date, Shri Raval had prayed for further adjournment on the ground that his brief was not available with him, and stated that if the adjournment is not granted as prayed for by him, the application may be disposed of on the basis of the pleadings in the case.

3. It is clear that the applicant has been dismissed, and the appeal filed by him, has also been

rejected. No relief in respect of that dismissal has been prayed for in this O.A. As the applicant is no longer in Government service, on account of having been dismissed, he is not entitled to retain the Government accommodation.

4. Under the circumstances, the impugned order warrants no interference and this application is accordingly dismissed. The interim order dated 9.4.91 restraining the respondents from dispossessing the applicant from the said accommodation is vacated. No costs.

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

J.P. Sharma
(J.P. SHARMA) 28.5.93
MEMBER(J)

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