

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA 2670/2004

New Delhi, this the 4<sup>th</sup> day of November, 2004

Hon'ble Sh. Sarweshwar Jha, Member (A)

Sh. Bhagat Singh  
R/o Quarter No.24  
Bhavishya Nidhi Enclave  
New Delhi.

...Applicant

(By Advocate Sh. M.K.Bhardwaj)

V E R S U S

Union of India : through

1. The Secretary  
Ministry of Labour  
Shram Bhawan  
New Delhi.
2. The Central Provident Fund Commissioner  
EPFO, Bhavishya Nidhi Bhawan  
Bikaji Cama Place, New Delhi.
3. The Regional Provident Fund Commissioner  
EPFO, Bhavishya Nidhi Bhawan  
Bikaji Cama Place, New Delhi.

...Respondents

**O R D E R (ORAL)**

Learned counsel for the applicant has submitted that while particular quarter has been allotted to the applicant vide the order of the respondents dated 10-9-2004 and possession of the same was taken by him on 11-9-2004, the said allotment has been cancelled after about one month vide the order of the respondents dated 11-10-2004 for no fault of his. In this connection, the applicant has also submitted a representation to the respondents vide his letter dated 10-10-2004, but he has not received any reply to the said representation. However, hardly one month has passed since he has submitted the said representation and not enough time has been allowed to the respondents to consider his request.



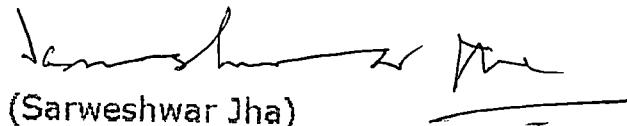
2. Learned counsel for the applicant has also submitted that by cancelling the allotment, the respondents have taken away the civil right of the applicant depriving him of the benefit, which has been given to him by the respondents, without affording him an opportunity to submit his position.

3. He has also invited my attention to cases of cancellation of allotment/change of allotment etc to suit the needs/convenience of the employees, whereas in his case they have cancelled the allotment after he has already stayed in the house by incurring certain inconvenience/expenditure on installation of electricity etc. in the house.

4. On the face of it, it appears that the respondents have, for no plausible reason, cancelled the allotment putting the applicant to unnecessary inconvenience and disadvantage. They have obviously not afforded him any opportunity to submit his position to them before the allotment was cancelled by them.

5. Under these circumstances, and also keeping in view the fact that the applicant has submitted a representation to the respondents in the matter dated 10-10-2004, I consider it appropriate to afford an opportunity to the respondents to consider the representation of the applicant together with this OA, treating the same as a supplementary representation of the applicant, and to do the needful by giving proper consideration to the case of the applicant with reference to the relevant rules and instructions on the subject and to dispose of the matter within a period of one month from the date of receipt of a copy of this order. The respondents shall ensure that the applicant is not displaced from the flat allotted to him till the matter has been given due consideration and disposed of, as directed above, after giving due opportunity to the applicant in the matter.

5. **Issue DASTI.**

  
(Sarweshwar Jha)  
Member (A)

/vikas/