

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. NO. 1900/92

DECIDED ON : 23.07.1992

Kula Nand

...

Applicant

Versus

Union of India

...

Respondents

Shri Y. R. Malhotra, Counsel for the Applicant

CORAM : The Hon'ble Mr. T. S. Oberoi, Member (J)
The Hon'ble Mr. P. C. Jain, Member (A)

ORDER (Oral)

Hon'ble Shri P. C. Jain, Member (A) :-

By this application under Section 19 of the Administrative Tribunals Act, 1985, the applicant who claims to be Head Constable in the Delhi Police though under suspension, is aggrieved by a teleprinter message dated 14.7.1992 from the Police Headquarters addressed to D.C.P. North District (copy at Annexure 2 to the OA). The aforesaid message refers to Police Headquarters endorsement dated 18.6.1992 and TPM dated 6.7.1992 regarding eviction of "RETIRED HC. KULA NAND, NO. 77/S.B. R/O GOVT. QRS. NO. 327, TYPE II, PC HATA KIDARA." It further says that acknowledgement of the eviction notice may please be furnished to this Headquarters by return signal. The copies of the endorsement/TPM dated 18.6.1992 and 6.7.1992 are stated not to have been received by the applicant, as submitted by the learned counsel for the applicant at the bar. The copy of the impugned order has also not been endorsed to the applicant. Learned counsel for the applicant also submitted that the applicant has not received any eviction order so far and the notice is the one which he has received, as stated above. Since it is stated

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to be only a notice, the applicant will have opportunity to show cause against the action proposed by the respondents. The applicant has neither stated nor shown that he has represented or replied to the aforesaid notice or that after consideration of his representation/reply an eviction order has been passed.

2. In view of the above, we are of the view that no cause of action has yet accrued to the applicant and accordingly the OA is not maintainable. The same is rejected under Section 19 (3) of the Administrative Tribunals Act, 1985.

Ceci 23/7/92
(P. C. Jain)
Member (A)

Obero 23.7.92
(T. S. Oberoi)
Member (J)