

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA.2264/92

Date of Decision: 15.04.1993

M.C.Anand

Applicant

Vs.

Union of India

Respondents

Shri Naresh Kaushik

Counsel for the applicant

Shri P.P. Khurana

Counsel for the respondents

1. Whether Reporters of local papers may be allowed to see the Judgement?

2. To be referred to the Reporter, or not?

JUDGEMENT(Oral)

(delivered by Hon.Member(J) Shri C.J. Roy)

Heard the learned counsel for the applicant. The respondents have not filed the counter affidavit. On the last date of adjournment, a final opportunity to the respondents to file counter was given and if it is not filed, the case will be disposed of on the basis of the facts and materials available on record. The case was called for in the morning and also in the afternoon to accommodate the respondents. So far, no counter has been filed. The facts of the case are that the applicant was allowed quarter No.B-II-5/3, New Minto Road Hostel vide

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order dated 1.5.92 by respondent No.2. The applicant has accepted and also simultaneously the request for the change in accommodation to the Curzon Road Hostel vide application dated 7.2.92.

Vide Annexure III, Director of Estates order dated 23.7.92, the respondents allotted quarter 207, Sector/Block-A, Curzon Road Hostel. At page-3 para 5 of the application, the applicant states that he has accepted this allotment within the specified time i.e. 28.7.92 by submitting the forms enclosed with the allotment letter dated 23.7.92. The letter of acceptance is deposited with the respondents as per the arguments of the learned counsel of the applicant. In the judicial file, the acceptance letter is not found. Lateron, it is claimed by the applicant that having allotted the accommodation in curzon Road Hostel, he was not given possession. He also made representation on 19.8.92. Stating all the facts he also drew our attention that possession slip was not given to him. Hence he has filed this OA aggrieved by this non-action of the respondents claiming the relief that he may be handed over the possession of the similar accommodation in the Curzon Road Hostel by directing the respondents to make the allotment and hand over the possession either in Curzon Road Hostel or Tagore road Hostel or Minto road Hostel. In lieu of the respondents technical acceptance of Tagore Road Hostel, otherwise called as New Minto Road Hostel at No.610/5/3, which shows that the applicant is entitled for a higher accommodation ~~that~~ that he is presently holding. However, he is staying in Tagore Road

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Hostel now. In view of the order passed on 13.1.93, I hereby direct the respondents to allot the quarter of his entitlement in his turn in accordance with his priority within the period of 4 months from the date of communication of this judgement. 13

The application is disposed of accordingly with no order as to costs.

After the above judgement was passed, the learned counsel for the respondents Shri P.P. Khurana appeared and learning the contents of the judgement, he wanted the case to be reheard. Under the circumstances, the learned counsel for the respondents is directed to take action in accordance with law.

frst day
(C.J. ROY)

MEMBER (J)

15.04.1993