

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

3

O.A. NO. 687/93

DECIDED ON :

13.4.93

Gurpal Singh

... Applicant

Vs.

Commissioner of Police & Anr.

... Respondents

CORAM :

THE HON'BLE MR. J. P. SHARMA, MEMBER (J)

Shri A. S. Grewal, Counsel for Applicant

J U D G M E N T

The grievance of the applicant is that he has been working as a Head Constable and has been allotted quarter No. 6, Type-I, P.S. Parliament Street, New Delhi and now vide impugned order dated 22.2.1993 passed by the Deputy Commissioner of Police, in lieu of the aforesaid allotted quarter he is being shifted to another quarter, H-21, Type-I, TMT Lines, which is said to be illegal, arbitrary and discriminatory.

2. The applicant has prayed for the grant of relief to quash the order dated 22.2.1993 and that he be allowed to retain the quarter No. 6, Type-I, P.S. Parliament Street, New Delhi, already in his occupation.

3. The applicant has made his representation on 1.3.1993 and since he did not receive any reply. So, he has filed this application on 22.3.1993. A notice was issued to the respondents and an interim order was issued in favour of the applicant that the operation of the impugned order is stayed for a period of ten days. The matter was taken up on 8.4.1993 when the respondents did not put in appearance and the learned counsel for the applicant has been heard on admission.

↓

4

4. The impugned order dated 22.2.1993 in fact relates to three persons, HC Attar Singh and HC Nanjudaihk, besides the present applicant. If the applicant was aggrieved, he should have to make a representation and wait for a period of six months. The applicant made representation on 1.3.1993 and without waiting for six months he has filed the present application which is obviously hit by the provisions of section 20 of the Administrative Tribunals Act, 1985. The application is, therefore, not maintainable and the applicant has to wait for the result of his representation.

5. Secondly, the applicant has been allotted similar type of quarter within Delhi and the respondents have a right to post the applicant at a proper place as well as to allot him a quarter at a proper place. It is not the case of the applicant that the type of quarter is being changed and only grievance of the applicant is that the TMT lines is situated at quite distance as compared to his residence at Parliament Street. This is no ground to interfere with the impugned order. The application is, therefore, not maintainable and dismissed at the admission stage itself. Interim order passed on 29.3.1993 automatically stands vacated.

J. P. Sharma
(J. P. Sharma) 13.4.93
Member (J)