

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

~~NEW DELHI~~

AHMEDABAD BENCH

(3)

O.A. No. 189 of 1989  
~~XXXXXX~~

DATE OF DECISION 29.08.1989

Mr. G.S. Sehra Petitioner

Mr. P.S. Handa Advocate for the Petitioner(s)

Versus

Union of India &amp; Ors. Respondent

Mr. N.S. Shevde Advocate for the Respondent(s)

## CORAM :

The Hon'ble Mr. P. M. Joshi .. .. Judicial Member

The Hon'ble Mr. M. M. Singh .. .. Administrative Member

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *Yes*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. Whether it needs to be circulated to other Benches of the Tribunal? *No*

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Babji since December, 1986. According to him, he has been allotted that quarter occupied by him, <sup>in pursuance of</sup> by the decision of the committee in its meeting dated 28.12.1988 (Annexure A-1). The petitioner has prayed that the impugned order be quashed and set aside.

2. When the matter came up for admission, we have heard Mr. P.S. Handa and Mr. N.S. Shevde, the learned counsel for the petitioner and respondents respectively. During the course of arguments advanced by the learned counsel, it was brought to their notice that a Govt. servant <sup>who fails to vacate the Govt. premises</sup> cannot be ~~evicted~~ from the quarter or the premises allotted to him, <sup>unless by</sup> ~~and until~~, the authorities <sup>by resorting to the</sup> take legal proceedings as required under "Public Premises (Eviction of Unauthorised Occupation) Act, 1971". According to Mr. Handa, the learned counsel for the petitioner, the petitioner has been <sup>Threatened</sup> ~~sustained~~ with dire consequences of putting him under suspension and D.A.R. action in case, he does not vacate the quarter.

3. Having regard to the facts and circumstances of the case and especially, the provisions <sup>as</sup> laid down under the said Act, the present application can be disposed of by <sup>as</sup> the simple direction to the respondents that they will be restrained from ~~evicting~~ the petitioner from the quarter occupied by him without due process of law. In this context, it is clarified that the respondents, in dealing with the matter of eviction, ~~they~~ are required to resort to the proceedings and the action, as envisaged under the said Act. With this direction, the application stands disposed of

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with no order as to costs.

M M Singh

( M M Singh )  
Administrative Member

*[Signature]*

( P M Joshi )  
Judicial Member

\*Mogera