

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, (GULESTAN' BUILDING No. 6
PRESCOT ROAD, BOMBAY : 1

Original Application No. 315/96

Thursday the 28th day of March 1996

CORAM: Hon'ble Shri B.S. Hegde, Member (J)

Smt. Kalavati Tarachand Vazirsingh

... Applicant

By Advocate Shri S.D. Dighe.

V/s.

Union of India
Through Secretary
Central Public Works Dept.
New Delhi.

Director of Estate
Directorate of Estates
Govt. of India
Nirman Bhavan
New Delhi.

The Estate Manager
Old C.G.O. Bldg.
Annexe, 3rd floor,
101 M.K. Road,
Bombay.

Executive Engineer
Bombay Central Divn. II
Central Public Works Dept.
Kane Nager, Bombay.

Chief Engineer
C.P.W.D.
(Western Zone)
Bombay.

... Respondents.

By Advocate Shri V.S. Masurkar.

ORDER (ORAL)

(Per Shri B.S. Hegde, Member (J))

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Heard Shri S.D. Dige, counsel for the applicant. Shri V.S. Masurkar, counsel for respondent No. 1, 4 and 5.

The applicant has been appointed on compassionate appointment in the year 1992 after the death of her husband. She has been continuing in the quarter since then. The applicant has submitted her representation for regularisation of the quarter on 29.4.92 the same has not been disposed of by respondent No. 2. He also draws my attention to the P.P. proceedings of Estate Officer dated 3.4.93 under Section 5 and passed the following order:

" I am satisfied that the said Smt. Kalavathi W/o late Vazir Singh and others are in occupation unauthorisedly after his death and on cancellation of the licence granted to him, I have allowed her time from the date of cancellation i.e. 17.7.1990 date which I consider to be amply and therefore, I being competent authority in exercise of powers conferred on me under Sub - Section (1) of Section 5 of the aforesaid Act, hereby order Smt. Kalavathi and others who are in unauthorised

occupation of the said Public Premises of any part thereof to quit vacate and deliver vacant and peaceful possession of the said premises to the authority concerned within 15 days from the date of issue of this order etc...

In the light of the above, the applicant states that the representation has not been disposed of by the respondents and also prays that till the disposal of the representation the applicant may not be evicted from the quarter.

In the circumstances, I hereby direct respondent No.2 to dispose of the representation within a period of two months from today, if not already disposed of. I hereby direct that till the disposal of the order the applicant may not be evicted from the quarter.

Accordingly O.A. is disposed of.

DASTI.


(B.S. Hegde)
Member (A)

NS