

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No: 1095/92

~~Transfer Application No~~

DATE OF DECISION 16.4.93

Shri Khogan C. Bagchi Petitioner

Shri A.H. Thorat Advocate for the Petitioners

Versus

Union of India and anr. Respondent

Shri V.S. Masurkar Advocate for the Respondent(s)

CORAM:

The Hon'ble Shri M.Y.Priolkar, Member (A)

The Hon'ble Shri

1. whether Reporters of local papers may be allowed to see the Judgement ? *J*
2. To be referred to the Reporter or not ?
3. whether their Lordships wish to see the fair copy of the Judgement ?
4. whether it needs to be circulated to other Benches of the Tribunal ? *W*

*M.Y.Priolkar*  
(M.Y.Priolkar)  
Member (A)

NS/

(a)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No.1095/92

Shri Khogan C.Bagchi

... Applicant.

V/s

Union of India

The Estate Officer  
Old CGO Building,  
101 M.K. Road,  
Bombay.

...Respondents.

CORAM: Hon'ble Shri M.Y.Priolkar, Member (A)

Appearance:

Shri A.H. Thorat, counsel  
for the applicant.

Shri V.S.Masurkar, counsel  
for the respondents.

ORAL JUDGEMENT


Dated: 16.4.93

The applicant in this case has retired on 31.3.91 and under the normal rules he is permitted to retain the quarter in his occupation for another four months i.e. upto 31.7.91. Since he did not vacate the quarter before the due date, proceedings were initiated under the Public Premises (Eviction of Unauthorised Occupants) Act 1971, and an eviction order dated 3.4.1992 served on him. The applicant filed an appeal in the Bombay City Civil Court against the eviction order of the Estate Officer. The Bombay City Civil Court while dismissing the appeal, permitted the applicant to retain the premises upto 31.10.92 on his written undertaking to hand over possession before that date. Learned counsel for the applicant prayed today only for permitting the applicant to retain the quarter upto 30.4.93. The learned counsel for the applicant has given an undertaking on behalf of the applicant that the quarter will be vacated on or before 30.4.1993 and also the arrears of rent will be paid in accordance with rules. Learned counsel for the applicant states that the applicant had gone to Calcutta following

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the recent disturbances in the city and has returned recently and requires some minimum time to wind up his affairs here. I am inclined to grant this limited prayer. The respondents are directed not to evict the applicant from his quarter until the end of April 1993. In case the applicant fails to vacate the quarter by 30.4.93, the respondents shall have the liberty as granted by the City Civil Court to take out the execution of the warrant of possession pursuant to the eviction order without further reference to this Tribunal. With this direction, the application is disposed of finally with no order as to costs.



(M.Y. Priolkar)  
Member (A)

NS