

**Central Administrative Tribunal  
Principal Bench, New Delhi**

C.P. No.104/2016 in O.A.No.3364/2013

Friday, this the 20<sup>th</sup> day of January 2017

**Hon'ble Mr. V. Ajay Kumar, Member (J)  
Hon'ble Mr. K.N. Shrivastava, Member (A)**

Zubeda Begum  
w/o Late Mr. Bachan Khan  
R/o Quarter No.71, Type II  
Chandrawal Water Works No.1  
Civil Lines, Near Vidhan Sabha  
Delhi – 54

...Applicant

(Mr. A. K. Singh, Advocate)

Versus

1. Mr. P K Gupta  
Commissioner  
North Delhi Municipal Corporation  
Civic Centre, JLN Marg,  
New Delhi
2. Mr. R C Dhankar (DC)  
Deputy Commissioner  
Civil Line zone  
North Delhi Municipal Corporation  
Civic Lines, New Delhi

..Respondents

(Mr. R N Singh and Mr. K M Singh, Advocates)

**O R D E R (ORAL)**

**Mr. V. Ajay Kumar:**

Heard both sides.

2. The present C.P. is filed alleging non-implementation of the order dated 04.02.2015 in O.A. No.3364/2013 where-under this Tribunal passed the following orders:-

“9. I, in the above facts and circumstances of the case, allow this OA and quash and set aside the action of the Respondents No.1 and 2 levying damages/market rent of the accommodation allotted to the applicant's husband amounting to Rs.3,91,952/- which was regularised in the name of

his son. I also direct that the Respondents shall forthwith stop adjusting the Dearness Allowance payable to her with her monthly family pension against the aforesaid market/penal rent. They shall also refund the entire amount of Dearness Allowance so far recovered from the Applicant with 9% interest. The aforesaid direction shall be complied with, within a period of 2 months from the date of receipt of a copy of this order.

10. However, the accommodation allotted to the Applicant's husband being a public premise, this order will not come in the way of the Respondents No.1 and 2 in recovering any rent/penal rent/market rent recoverable from the Applicant after observing the due process of law as prescribed in the Public Premises (Eviction of Unauthorised Occupants) Act, 1972."

3. The Writ Petition filed by the respondents against the said order bearing W.P. (C) No.6334/2016 was dismissed by the Hon'ble High Court of Delhi vide order dated 23.09.2016. Thereafter, S.L.P. No. 36032/2016 was filed by the respondents, which was also dismissed vide order dated 16.12.2016. However, by reducing the rate of interest from 9% to 3%.

4. Today, learned counsel for respondents filed another compliance report dated 19.01.2017 enclosing therewith a copy of order dated 17.01.2017 whereunder the Manager, Punjab National Bank, Model Town-III Branch, Delhi was requested to credit `3,38,311/- being the amount of Dearness Relief and interest @3% to the applicant's bank account.

5. In the circumstances and in view of the substantial compliance of the orders of the Tribunal by the respondents, C.P. is closed. Notices issued to the respondents are discharged. No costs.

**( K.N. Shrivastava )**  
**Member (A)**

**( V. Ajay Kumar )**  
**Member (J)**

**January 20, 2017**  
/sunil/

