

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

O.A. No.1354/2016

This the 26th day of August 2016

Hon'ble Shri P.K. Basu, Member (A)

Vijay Chowdhary,
Aged 28 years,
Group 'C' Auditor
S/o Shri Satvir Singh,
R/o Quarter No. 79, Type-II,
North West Moti Bagh,
New Delhi -110021. ... Applicant

(By Advocate: Shri Mayank Joshi for Shri Ashish Nischal)

Versus

1. Union of India,
Through its Secretary
Ministry of Urban Development
Nirman Bhawan,
New Delhi-110108
2. Directorate of Estates,
Through its Director,
Nirman Bhawan,
New Delhi -110108. ... Respondents

(By Advocate: Shri Hanu Bhaskar)

O R D E R (ORAL)

The applicant's father retired from service on 31.01.2015. He was occupying quarter No.79, Type-II, North West Moti Bagh, New Delhi-110021. The Govt. servant was entitled to occupy that quarter for eight more months i.e. up to the end of September, 2015. The applicant got an offer of appointment as Auditor in Defence Ministry and joined there on 31.12.2015 i.e. beyond the period of eight months.

2. The Directorate of Estates has issued a notice to the applicant's father for vacation of that quarter under the PP Act.

3. Learned counsel for the respondents states that since proceedings are going on under the PP Act, the Tribunal should not interfere in this matter and the applicant has to present his case before the Estates Officer and thereafter before the Appellate Authority under the PP Act. Moreover, he has also pointed out that according to the rules, the applicant could have been considered for allotment of the same quarter provided he joins the Government service within the permissible period of eight months which is not the case in this OA.

4. Learned counsel for the applicant has submitted that the offer of appointment was issued to him on 17.09.2015 which is before the retention period was over.

5. In view of the fact that proceedings are going on under the PP Act, I would not like to interfere in the matter at all. However, the respondents will be at liberty to consider any fresh representation made by the applicant in this regard.

6. OA is dismissed, accordingly.

(P.K. Basu)
Member (A)

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