

**Central Administrative Tribunal
Principal Bench**

OA No.4505/2017

New Delhi, this the 05th day of January, 2018

Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Ms. Nita Chowdhury, Member (A)

1. Randhir Singh,
S/o Shri Fateh Singh,
R/o H.No.3/10-11, Schedule-A,
President Estate,
New Delhi-110004
Designation: Senior Safaiwala
Age: 58 years

...Applicant

(By Advocate : Ms. Garima Sachdeva)

Versus

1. Union of India,
Through the Secretary,
President's Secretariat, Establishment Section,
Rashtrapati Bhawan, President's Estate,
New Delhi-110004.
2. Director,
President's Secretariat, Establishment Section,
Rashtrapati Bhawan, President's Estate,
New Delhi-110004.

...Respondents

(By Advocate : Shri K. Shandilya)

ORDER (ORAL)

Mr. V. Ajay Kumar, Member (J) :-

Heard Ms. Garima Sachdeva, learned counsel for applicant and Shri K. Shandilya, learned counsel on receipt of advance notice on behalf of respondents.

2. The applicant was working as Safaiwala under the respondents. The respondents retired the applicant on medical grounds (invalid pension) w.e.f. 21.08.2017 vide Annexure-A/10 dated 22.08.2017. In view of the medical condition of the applicant and his retirement on medical grounds, the applicant vide Annexure-A/11 dated 16.10.2017, made a representation to the respondents seeking to release the arrears of salary due to him since 2015 and also to grant compassionate appointment to his son and to grant disability pension to him. The said representation is still pending with the respondents as no orders have been passed thereon.

3. It is submitted by the learned counsel for applicant that in view of medical condition of the applicant, he is in a very indigent condition and could not afford any private accommodation anywhere and the legitimate dues payable to him have also not been released by the respondents though he was retired on medical grounds w.e.f. 21.08.2017.

4. The learned counsel for respondents opposed granting of any interim order including permission to the applicant to stay in the present accommodation till his appeal is disposed of on the ground of maintainability and also on the ground of jurisdiction.

5. In the circumstances, the OA is disposed of without going into the merits of the case by directing the respondents to consider

Annexure-A/11 representation dated 16.10.2017 made by the applicant within 15 days from the date of receipt of a copy of this order and to pass appropriate speaking and reasoned orders thereon. The respondents, if found, that any amounts are still payable to the applicant, such as arrears of salary or disability pension etc., the same may be released within 15 days therefrom. However, in the peculiar circumstances of this case, till the representation of the applicant is disposed of by the respondents or till 28.02.2018, whichever is earlier, the applicant shall be permitted to retain the quarter in which he is residing, however, at the applicable rate as per rules. No costs.

Order **Dasti.**

(Nita Chowdhury)
Member (A)

(V. Ajay Kumar)
Member (J)

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