

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**MA. No. 510/2019 in
OA No. 3807/2019**

New Delhi this the 6th February, 2019

Hon'ble Sh. Pradeep Kumar, Member (A)

1. SURENDER AHLAWAT
S/O LATE SH. DHARAM PAL
R/O 563, LAXMI BAI NAGAR,
NEW DELHI – 110023
GROUP – “C”

.....Applicant

(Applicant in-person)

Versus

1. MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT,
TRHOUGH SECRETARY,
ROOM NO. 636, 'A' WING, SHASTRI BHAWAN,
DR. RAJENDRA PRASAD ROAD,
NEW DLEHI-110011

2. DEPARTMENT OF PERSONNEL AND TRAINING
THROUGH SCRETARY
NORTH BLOCK, CENTRAL SECRETARIAT,
NEW DELHI-110011

3. DIRCTORATE OF ESTATES
THROUGH ITS DIRECTOR,
MINISTRY OF HOUSING AND URBAN AFFAIRS
'C' WING, NIRMAN BHAWAN,
NEW DLEHI-110011

4. MINISTRY OF HOUSING AND URBAN POVERTY ALLEVIATION
THROUGH ITS SCRETARY
NIRMAN BHAWAN,
NEW DLEHI-110011

.....Respondents

(By Advocate : Sh. Rajinder Nishal)

ORDER (ORAL)

1. The applicant pleads that his father was serving under Ministry of Social Justice and was in occupation of a Government quarter.

He died while in harness on 19.12.2013. Thereafter, the applicant had applied for compassionate ground appointment, and this application was made within 2 months of unfortunate death of his dear father.

However, the compassionate ground appointment has not materialised as yet. Had this compassionate appointment been issued, the Govt. quarter could have been regularised in his name. Feeling aggrieved, the applicant has already filed several OAs before the Tribunal, i.e. O.A. No. 1742/2017, 3807/2018 & 2303/2018 seeking compassionate ground appointment.

In the meanwhile, the allowed period for retention of quarter was over and it was treated to be under unauthorised occupation. The respondents had taken recourse to get the quarter vacated under PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) ACT, 1971. The relevant Estate Officer had passed an order, for evicting the applicant from the said Government accommodation. Thereafter, the applicant approached the District and Session Judge, Patiala Hosue, New Delhi in appeal, against this judgement passed by the Estate Officer. This appeal has since been dismissed on 19.09.2017.

The applicant pleads that the respondents are now taking action during the course of the day for getting the said govt. quarter vacated. The applicant has filed the instant M.A. 510/2019, seeking a restraining order against the respondent from such eviction.

2. Matter has been heard at length. The applicant appeared in person. Sh. Rajinder Nischal, learned counsel appeared on behalf of respondents.

3. The Tribunal does not have any power in respect of cases already decided by relevant courts under PPE Act and accordingly, the instant M.A. is dismissed for want of jurisdiction. The applicant is directed to seek remedy before appropriate Court.

Order **DASTI**.

(Pradeep Kumar)
Member (A)

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