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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1635/2007**
KAMALJEET GILL

..... Petitioner

Through Mr S.C. Singhal, Adv.

versus

THE ESTATE OFFICER & ANR

..... Respondents

Through Mr. Anchit Sharma and Mr. Mahesh
Dutt Tripathi, Advocates

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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11.08.2016

The petitioner is aggrieved by the order passed by the learned District Judge under Section 9 of the Public Premises Act which had endorsed the findings returned by the Estate Officer both of which had held that the petitioner before this Court is an illegal occupant of 1/190, Sadar Bazar, Delhi Cant. Learned counsel for the petitioner submits that the case of the petitioner is similarly placed to the case of Bhagwan Dass and Mr.R.P. Sharma decided today in W.P. (C) No.3179/2003 & 3189/2003 wherein the respondents had conceded that policy guidelines are being framed by the Delhi Cantonment Board for transfer of tenancy rights and all issues regarding CF properties to be considered on par at public allotment and in terms of the resolution No. 27 of the DCB in a board meeting to be held on 18.07.2016. Learned counsel for the respondents in those petitions had informed the Court that a period of three months is required to

formulate the said policy and representations of 100 persons now pending before the DCB will be decided without any discrimination.

The contention of the petitioner before this Court as is also evident from the averments made in the writ petition is that this quarter had been allowed to him as a general public and not in his capacity as an employee of the DCB. This position is disputed by the learned counsel for the respondent who submits that it was in the capacity of an employee of the DCB that the aforementioned quarter was allotted to the petitioner.

Be that as it may, in view of the policy guidelines which are pending before the DCB as informed to the Court and yet to be formulated, let status quo qua the present petitioner also be maintained till that policy is formulated which would also include the rights of the present petitioner. The DCB will decide his case without any discrimination.

Needless to state that if any order is passed against the petitioner and he is still aggrieved by the aforementioned finding arrived at by the Competent Authority he is at liberty to approach the Court.

Petition disposed of.

INDERMEET KAUR, J

AUGUST 11, 2016

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