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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 6543/2008 and CM No. 12514/2008

PRAN NATH BRAROO

..... Petitioner

Through Mr. B.L.Wali, Advocate

versus

ESTATE OFFICER & ANR.

..... Respondents

Through Mr. Kirtiman Singh, CGSC for UOI
with Mr. Karan, Advocate

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **27.07.2016**

Counter affidavit has been filed on behalf of the respondents. It is submitted that petitioner belong to the Pandit Community and is a permanent resident of the State of Jammu and Kashmir. Contention of the petitioner is that he was employed in the Boarder Security Force on 12.10.1970 and was posted in the State of Jammu & Kashmir. Petitioner was allotted Quarter No. C-326, Sarojini Nagar, New Delhi during his service in the Border Security Force (BSF). The last posting of the petitioner as Inspector Head Clerk at BSF Headquarters (Air Wing) Safdurjung Airport, New Delhi. Petitioner superannuated on 30.06.2005. His allotment was cancelled on 1.11.2005 in terms of letter issued by the Estate Officer. Vide letter dated 11.11.2005 issued by the TCA, the petitioner was allowed to retain this accommodation on medical grounds up to 28.02.2006 on depositing Rs. 1085/- as license fee per month. Since the petitioner continued to retain this accommodation even after 28.02.2006 a show cause notice

dated 30.03.2006 was issued as to why he should not be evicted. The Estate Officer passed an eviction order on 18.04.2996. The petitioner preferred an appeal before the learned Additional District Judge and the same was dismissed on 01.09.2008. Present writ petition was accordingly filed.

Affidavit further states that in terms of the judgment of the Bench of this Court delivered on 01.06.2012 in LPA No. 332/2011 a meeting was held in Ministry of Home Affairs and rehabilitation guide lines are in process of being drafted vide OM dated 07.10.2015 issued by the Ministry of Home Affairs, Department of Jammu & Kashmir. It has been informed that drafting of Rehabilitation Guidelines for retired Central Government Employees (Kashmiri Migrants) is under progress in the Ministry of Home Affairs and the draft guidelines will be issued shortly.

Counsel for the respondent submits that the petitioner is enjoying a status qua as on date; the counter affidavit in this regard further states that a decision has already been taken not to evict Kashmiri Migrants for the time being and status quo shall be maintained till the implementation of the Rehabilitation Guidelines.

Noting the above contentions as eminent in the counter affidavit, this petition is not pressed for the time being.

Petition disposed of with liberty granted to the petitioner to approach this Court in case of apprehension of any coercive action.

INDERMEET KAUR, J

JULY 27, 2016

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