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

+ **LPA 385/2018**

BHUPINDER SINGH MALIK Appellant

Through : Mr Kumar Rajesh Singh with Ms
Punam Singh, Advocates.

versus

ESTATE OFFICER, DIRECTORATE OF ESTATES..... Respondent

Through : Mr Bhagvan Swarup Shukla, CGSC
with Mr Kamaldeep, Advocate for
UOI.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

20.07.2018

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CM Nos.28338/2018(exemption)

Allowed, subject to all just exceptions.

LPA 385/2018 & CM Nos.28337/2018(stay)

This intra-court appeal under Chapter X of the Letters Patent Act impugns order dated 06.07.2018 dismissing W.P.(C) No.1513/2017.

The appellant was dismissed from service on 09.04.2014. Statutory appeal challenging order of dismissal was rejected by the Appellate Authority on 24.06.2014.

Allotment of official quarter at Block-M/330, Kasturba Nagar, New Delhi, was cancelled on 09.05.2014. The appellant was required to hand over vacant possession.

The appellant did not vacate the quarter and the respondent was therefore compelled to initiate proceedings under the Public Premises (Eviction of Unauthorized Occupants), Act, 1971. The Estate Officer passed an eviction order on 22.05.2015.

Appeal preferred by the appellant was dismissed by the District & Sessions Judge vide order dated 25.01.2017.

Still aggrieved and wanting to take chance, the petitioner had filed W.P.(C) No.1513/2017, which has been dismissed by the impugned order.

The appellant submits that he has challenged the order of dismissal in an O.A. preferred by him, which is pending before the Central Administrative Tribunal.

We do not think that this is a good ground and justification for the appellant to not vacate the quarter. The petitioner was dismissed from service on 09.04.2014. It has been more than four years since then. He must vacate the quarter in terms of the eviction order passed by the Estate Officer.

There is no merit in the appeal. The same is therefore dismissed. Pending application is also dismissed.

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

JULY 20, 2018

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