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

+ **W.P.(C) 1948/2025 and CM APPL.9087/2025**

ASHOK KUMAR

.....Petitioner

Through: Mr. Shivendra Singh, Mr. Bikram
Dwivedi & Ms. Prakriti Rastogi,
Advs.

versus

CEO CGEWHO AND ANR

.....Respondents

Through: Mr. Gaurav Sharma, SPC with Ms.
Sidhi Arora, Mr. Siddhartha Nagpal
& Ms. Lipika Chawla, Advs.
Mr. Sushil Raaza, SPC with Mr.
Kapil Yadav, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

03.03.2025

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1. The present petition has been filed by the petitioner raising a grievance that the Petitioner is ineligible for the allotment of a residential flat under the Greater Noida (Phase-II) Housing Scheme initiated by Central Government Employee Welfare Housing Organisation (CGEWHO). It is pointed out by the petitioner that he was initially appointed as Junior Engineer (Civil) on 30.09.1983, in the Indian Posts and Telegraphs Department i.e., a central government department. Subsequently, the petitioner was absorbed into Mahanagar Telephone Nigam Limited (MTNL) and Bharat Sanchar Nigam Limited (BSNL), and thereafter worked there till 31.01.2020, when he opted for voluntary retirement from his position as Executive Engineer.

2. On 25.02.2024, the respondents invited applications for the allotment



of 336 dwelling units under the Greater Noida (Phase- II) Housing Scheme, with the last date for submission being 15.04.2024, with eligibility outlined in Rule 3 of the CGEWHO Rules appended along with the brochure. The same reads as under:

“3. ELIGIBILITY:

ELIGIBLE CATEGORIES:

PRIORITY- I

I. Central Government Employees: Serving or retired Central Government Employees, who are covered by the definition as given at Para 2 (VII) of Part B of this Brochure, will be eligible.

II. Spouses of deceased employees: Spouses of the deceased Central Government Employees or deceased retired employees would be eligible, if the deceased employee would have qualified by criteria (i) above.

III. Regular Employees of CGEWHO, with a minimum of one year of service, will be eligible.

Note: 15%, 7.5% & 5% of the respective type of dwelling unit(s) will be reserved for scheduled caste, scheduled tribe & persons with disabilities of Priority-I applicants only as per CGEWHO Rule described in Part-B of this Brochure.

PRIORITY- II

I. Employees in service of Central PSUs, State Government, Union Territory Administration, Autonomous Bodies, Corporations, Nationalised Banks etc.

II. Serving uniformed employees of the Ministry of Defense and serving employees of Ministry of Railways.

PRIORITY - III

Those are not covered under Priority-I and Priority-II including General Public.”

3. It is the case of the learned counsel for the petitioner that the



petitioner was eligible under the category of 'Priority-I' (as reproduced above) on account of him having been initially appointed in the Indian Posts and Telegraphs Department, and his appointment letter having been issued in the name of President of India; the petitioner is also drawing pension which is charged and debitable from the Consolidated Fund of India.

4. On 18.06.2024, the respondent no.1 published a list of eligible and non-eligible applicants on the CGEWHO website, wherein the petitioner's name was included in the list of non-eligible applicants (as mentioned on Serial No. 13). It is the case of the petitioner that the petitioner could not have been included in the list of non-eligible applicants.

5. The aforesaid submissions are controverted by the learned counsel for the respondent no. 1 and 2, who appears on advance notice. He submits that the petitioner, being a retired PSU employee, falls under the category of 'Priority-II'. He further submits that pursuant to the draw of lots held on 06.07.2024, all the flats/dwelling units have been allocated to the applicants falling under the category of 'Priority-I'. As such, for the purpose of the present scheme, the petitioner has been declared ineligible.

6. After some hearing, with the consent of respective counsel, the present petition is disposed of with direction/s to the respondents to pass a reasoned order, specifically dealing with the contention as to why the petitioner's application was not considered under the category of 'Priority-I'. Let a reasoned order be passed by the respondent/s within a period of four weeks from today.

7. The present petition stands disposed of in the aforesaid terms. Pending application also stands disposed of.

8. Needless to say, if the petitioner is aggrieved by the outcome of the



aforesaid exercise, he shall be at liberty to avail appropriate remedies under law.

MARCH 3, 2025/at

SACHIN DATTA, J