

THE COURT OF THE ESTATE OFFICER
UNIVERSITY OF DELHI
COMPLAINT NO. 03

EO/159/2022

ORDER UNDER SUB-SECTION (1) SEC.5 OF THE PUBLIC
PREMISES
(EVICTION OF UNAUTHORISED OCCUPANTS) ACT, 1971

To,

Prof. Gurmeet Singh
R/o Type-V, Bungalow No. 18
Cavalary Line, North Campus
University of Delhi
Delhi-110007.

EVICTION ORDER

Whereas I, the undersigned, am satisfied for the reasons recorded below that Prof. Gurmeet Singh, is in unauthorized occupation of the Public Premises specified in the schedule below:-

1. That the present complaint has been filed by the Joint Registrar (Estate) against the Respondent as the Respondent is in unauthorized possession of the premises viz. Type V Bungalow No. 18, Cavalry Line, North Campus, University of Delhi, Delhi-110007 since 1st May 2021 till date. It is not under dispute that this property belongs to the University of Delhi.
2. That the respondent was permitted to retain the Schedule Premises for a period of 3+3 from 01.11.2019 to 30.04.2020 on the normal terms and conditions as per University of Delhi Rules and was extended the

copy to :- J.A.(Estate)

benefit of the E.C. Resolution No. 06 dated 30.05.2022 under Category-II, under which retention for the period of 18 months beyond the permitted period from 01.05.2020 to 31.10.2021 was extended to the respondent.

3. That the Joint Registrar (Estate) served four notices on 01.02.2020, 14.03.2020, 01.10.2021, and 01.11.2021 to Prof. Gurmeet Singh and requested to vacate the scheduled premises immediately as the period of stay in the scheduled premises has expired on 01.11.2021 and the right of the respondent to continue in the said premises came to an end and thus he was under an obligation to vacate the said premises being unauthorized occupant.
4. That since the respondent is in unauthorized possession of the property in question since 01.05.2021, and based on complaint No.03 of 2022 from Joint Registrar (Estate)/ Complainant, the Estate Officer issued notices under sub-section (1) and clause (b) (ii) of the sub-section (2) of Section 4 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 to the respondent calling him as to why an order of eviction should not be made against him.
5. A Notice dated 09.09.2022 under sub-section 1 of section 4 of the public premises (Eviction of unauthorized occupants) act, 1971 No. E.O./03/2022 dated 09.09.2022 was served to appear before the Estate Officer, University of Delhi for Personal hearing on 16.09.2022, no reply as well personal appearance has been made and therefore an exparte order is being passed.

Reasons

6. After a careful perusal of the complaint, it has been noticed that the Respondent's period to retain the scheduled premises had expired on 01.11.2021. Further on 01.02.2020, 14.03.2020, 01.10.2021, and 01.11.2021, the complainant had requested the respondent to vacate the premises immediately. The right of the respondent to continue in the premises came to an end on 31.10.2021 and thus he was under an obligation to vacate the said premises.
7. That, upon the approval of the Competent Authority of the University to initiate the eviction proceeding against the respondent regarding the recovery of possession of the Scheduled premises of the University bearing Type V Bungalow No. 18, Cavalry Line, North Campus, University of Delhi, Delhi-110007, this Complaint has been filed before this Court.
8. That further there is a long pending queue of the officials/employees of the University who are waiting for allotment/possession of University flat/bungalow and are in dire need of accommodation and therefore, any unauthorized occupant as is the respondent who is holding a schedule premise unauthorizedly beyond stipulated time creates an impediment for the administration. And therefore, this act of the respondent is grave misconduct. Such an act of respondent after serving for so many years in the institution calls for introspection.

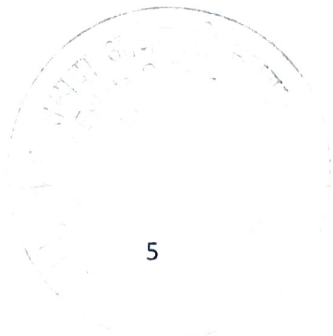
9. That I have gone through the Complaint and the documents filed by the Joint Registrar (Estate). The University of Delhi had allowed the Respondent to occupy the scheduled premises for 3+3 months as per rules of the University and extended the benefit of the E.C. Resolution No. 06 dated 30.05.2022 under Category-II for retention for a period of 18 months beyond the 3+3 months. Once the extended period came to an end the Respondent was not entitled to continue in the said premises. Despite giving several notices to the Respondent, he has not vacated the scheduled premises. Thus I am of the opinion that the Respondent is in unauthorized occupation of the public premises specified in the Schedule.
10. The respondent who is also a sitting vice Chancellor misuses his authority and holds University accommodation in an unauthorized manner beyond stipulated time in his previous institution after retirement and after availing the grace period as provided by the University of Delhi sets a very bad example for the society and academic community. This very act of Prof. Gurmeet Singh using his authority for such misuse is grave misconduct.
11. It is also noted that the respondent who is holding a public office cannot act irresponsibly by not acknowledging the notice of this court as well as the Estate Branch of the University. Defying administrative processes and legal processing is serious misconduct and is not expected for a person holding a public office therefore this court also notes this act a Prof. Gurmeet Singh as a serious misconduct.

Now, therefore, in the exercise of the powers conferred on me under sub-section (1) of the section 5 of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971, I hereby order the said Prof. Gurmeet Singh, and all persons who may be in occupation of the said premises or any part thereof to vacate the said premises before 30th November 2022 keeping in view of the festival season. In the event of refusal or failure to comply with this order within the period specified above the said Prof. Gurmeet Singh and all other persons, concerned are liable to be evicted from the said premises, if need be, by the use of such force as may be necessary and defiance of this order may be immediately reported to the Ministry of Education.

This court is of the view that the complainant must inform the concerned Ministry in writing about his misconduct of holding the University's accommodation of his previous organization after retirement unauthorizedly. Vice-chancellors are supposed to set examples of good practices and not violate law of the land.

This court also directs the complainant to send a copy of this order to the office of the hon'ble President and Vice President and the Ministry of Education.

I hereby directed the respondent to contact the Estate Section of the University and clear all pending dues at the earliest but not later than 30.11.2022.



I hereby directed the respondent to contact the Estate Section of the University and clear all pending dues at the earliest but not later than 30.11.2022.

I hereby also direct the complainant to review the pensionary benefits of the employee based on his such conduct of holding accommodation of the institution in an unauthorized manner beyond the stipulated time.

Schedule

**Type V Bungalow No. 18,
Cavalary Line, North Campus,
The University of Delhi,
Delhi-110007.**

Date: 03rd October, 2022

B. K. Singh
Estate Officer

