

Court No. - 35

Case :- WRIT - A No. - 16293 of 2023

Petitioner :- Ghanshyam Yadav

Respondent :- Union Of India And 6 Others

Counsel for Petitioner :- Krishna Mohan Misra

Counsel for Respondent :- A.S.G.I., Arun Kumar Pal, Diptiman Singh

Hon'ble Vikas Budhwar, J.

Heard Sri Krishna Mohan Misra, learned counsel for the petitioner and Sri Diptiman Singh learned counsel, who appears for respondents 1 to 7.

The case of the writ petitioner is that he was initially appointed as Security Guard in the University on temporary basis on 1.12.1996 and thereafter he was accorded permanency on 13.5.2015. It is the further case of the writ petitioner that he is living in his own accommodation and not with the accommodation providing by the University. Now all of a sudden an order has been passed on 19.6.2023 of the Vice Chancellor of the University and a consequential order dated 27.6.2023 of the Estate Officer whereby reduction has been made in the House Rent Allowance in the electricity dues.

Learned counsel for the writ petitioner submits that no proceedings known to law were resorted and further without putting the writ petitioner to notice the deductions have been made.

Sri Diptiman Singh learned counsel, who appears for respondent University has produced before this Court a set of seven documents. According to him once it was noticed by the University Administration that the writ petitioner along with others were unauthorisedly occupying the official accommodation without there being any allotment in their favour thus a committee was constituted which inspected and found that the writ petitioner herein was unauthorisedly occupying the accommodation. He further relies upon a communication/representation of the writ petitioner dated 16.8.2023 to the Security Officer, University of Allahabad whereby a request had been made that the deductions be not made and he further seeks to rely upon certain noting so as to suggest that though the writ petitioner has vacated the official

accommodation but he is liable to pay H.R.A. which he has unnecessarily claimed and also electricity bills.

At this juncture, Sri Diptiman Singh submits that in case the writ petitioner represents his cause before the fifth respondent, Property Manager/Sampada Prabandhak, Allahabad University, Prayagraj then it shall deal with the contentions of the writ petitioner. He further submits that he does not propose to file any response to the writ petition.

Considering the submissions of the rival parties as well as stand taken by them, the writ petition is being disposed off without seeking any response from the respondents granting liberty to the writ petitioner to prefer a comprehensive representation along with the self-attested copy of the writ petition before the fifth respondent, Property Manager/Sampada Prabandhak, Allahabad University, Prayagraj, by 10th November, 2023 and on the receipt of the same the fifth respondent shall decide the claim of the writ petitioner by 27th November, 2023. In case the fifth respondent is of the opinion that the matter needs to be addressed by any other authority then the papers be transmitted to it with due communication to the writ petitioner. Any deduction made therein shall be subject to the final orders to be passed therein.

Needless to point out that the writ petition has been decided without seeking any response from the respondents. Thus, passing of this order may not be construed to an expression that this Court has gone into the merits of the case.

With the aforesaid observation, the writ petition is **disposed off**.

Instruction filed today is taken on record and marked as Appendix-A.

Order Date :- 31.10.2023
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