

Court No. - 36

Case :- WRIT - A No. - 20324 of 2023

Petitioner :- Afroz Ali

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Ram Krishna Mishra, Suresh Chand Yadav

Counsel for Respondent :- C.S.C., Shivendra Singh Bhadauria

Hon'ble Manjive Shukla, J.

1. Heard learned counsel appearing for the petitioner, learned Standing Counsel appearing for the Respondents No.1 to 3 and Sri Shivendra Singh Bhadauria, learned counsel appearing for the Respondent No.4.

2. Learned counsel appearing for the petitioner has submitted that petitioner is working on the post of Assistant Teacher in Senior Basic School Gajraula, Block Bilaspur, District Rampur and he has been allotted government accommodation vide order dated 26.7.2023 passed by the District Magistrate, Rampur. The order dated 26.7.2023 categorically demonstrates that petitioner has been allotted House No.T-2/55, House Pooled Colony, situate at Baghicha Chaudhran, Rampur. Learned counsel appearing for the petitioner has further submitted that rent of the aforesaid accommodation is continuously being deducted from salary of the petitioner, but till date petitioner has not been handed over possession of the aforesaid government accommodation.

3. Learned counsel appearing for the petitioner has argued that once petitioner has been allotted government accommodation, then it is obligatory on the respondents to hand over possession of the said accommodation.

4. Learned counsel appearing for the petitioner has further argued that petitioner has already filed representation on 13.10.2023 to Incharge Officer, Nazarat in the office of District Magistrate, Rampur and thereby request has been made to hand over possession of the government quarter allotted to the petitioner but till date decision has not been taken.

5. Learned Standing Counsel as well as Sri Shivendra Singh Bhadauria, learned counsel appearing for the Respondent No.4 have submitted that since petitioner has filed representation before the competent authority, therefore it would be in the

fitness of things if a direction is issued by this court to the competent authority to consider and decide the petitioner's representation.

6. In view of the aforesaid reasons, this writ petition stands finally disposed of with liberty to petitioner to file a fresh representation before Respondent No.3 within two weeks from today and if such representation is filed, Respondent No.3 is directed to consider and decide the said representation by passing speaking and reasoned order within one month thereafter.

Order Date :- 7.12.2023

Salim