

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8199 of 2008

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Kameshwar Prasad Yadav son of Jagdeo Prasad Yadav, at present residing in Mohalla Jai Prakash Nagar, College Chowk, Purnea Town, Police Station K.Hat, District Purnea

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Rural Development Department, Government of Bihar, Patna
2. District Magistrate, Purnea
3. Deputy Collector Establishment, Purnea Collectorate, Purnea
4. Deputy Development Commissioner- cum- Chief Executive Officer, Zila Parishad, Purnea
5. Block Development Officer, Kasaba, District Purnea
6. Block Development Officer, Dagarua Block, District Purnea

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gyanand Roy

For the Respondent/s : Mr. Rajesh Singh, GP 16

Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 04-08-2015

Petitioner had continued to occupy an official quarter for 18 months even after his transfer in the year 2004. Repeated effort of the respondents asking to vacate the quarter did not get any response as he was avoiding such acceptance of notice as is the stand of the respondents. Left with no option, they exercised the power provided under Rule 110 of the Government Servants Accommodation Rules and the sub rules thereto and they worked out the market rent as well as penal rent at the rate of Rs.1354 for 18 months and multiplied the same by 3, as penal rent.

The present problem of the petitioner is self created problem. As a law abiding government servant, it was his duty to vacate the quarters after the period to which he was entitled to stay on transfer but after that he had no business to continue keeping the government quarter for 18 long months without any authorization or the approval of any authority in this regard.

In view of the same, the Court is not inclined to interfere with the decision contained in Annexure- 1 as any indulgence will only encourage persons like the petitioner to be law by themselves.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

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