

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19662 of 2015

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Siyasharan Yadav, Son of late Jaldhari Yadav, Resident of Mohalla- R' Block,
Govt. Quarter No. H/8, Road, No. 2, P.O.-G.P.O., P.S. Kotwali, District Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. The Superintending Engineer, Public Health Department (Control), Patna Circle, Patna.
3. The Executive Engineer, Public Health Design & Planning Division No. 6, Patna.
4. The Executive Engineer, Patliputra Building Division, Building Construction Department, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Mani Bhushan Kumar, Advocate
For the State : Mr. Ram Pravesh Kumar, A.C. to S.C.-11

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 05-01-2016

The petitioner, a Junior Engineer under Public Health Engineering Division No. 6 was allotted Quarter No. A/8, Road No. 2 in R' Block, Patna under an order dated 19.11.2014 issued by the Superintending Engineer, Public Health Engineering Department, Patna Circle, Patna. Subsequently, it was detected that the allotment of quarter, which was in the Central Pool was beyond the jurisdiction of the Superintending Engineer, Public Health Engineering Department, Patna Circle, Patna. A communication to this effect was made by the Executive Engineer of Building Construction Department through letter dated 05.11.2015, which has been brought on record by



way of Annexure-1 to this application. In furtherance of the said communication dated 05.11.2015, the Superintending Engineer, Public Health Engineering Department, Patna Circle, Patna has cancelled the allotment of quarter earlier made in favour of the petitioner, by order dated 16.11.2015, which is under challenge in the present writ application.

Learned counsel for the petitioner has not been able to satisfy this Court that the allotment of quarter made in favour of the petitioner by the Superintending Engineer of the Public Health Engineering Department was valid and he had the competence to make allotment of the quarter. Faced with this situation, learned counsel for the petitioner has very fairly submitted that the petitioner be given some time to make alternative arrangements, since he is residing in quarter for last one year.

In view of the pleadings and submissions made on behalf of the petitioner, this application is disposed of with an observation that the petitioner shall be allowed two months' time from today to vacate the quarter in question. If he fails to vacate the quarter within two months from today, the respondents would be at liberty to take appropriate action against him.

It goes without saying that if the petitioner applies for allotment of quarter, the same shall be considered expeditiously in

accordance with law, by the competent authority.

This application shall stand disposed of with the observation aforesaid.

(Chakradhari Sharan Singh, J)

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