

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1759 of 2016

- Smt. Jyoti Marathe W/o Late Ramdas Marathe, Aged About 65 Years R/o Quarter No. 10- A, Sheet No. 29, Sector- 5, Bhilai, District Durg, (Chhattisgarh)

---- Petitioner

Versus

1. Bhilai Steel Plant Through The Chief Executive Officer, Bhilai Steel Plant, District Durg, (Chhattisgarh)
2. Senior Manager (Housing), Steel Authority Of India Limited, Town Services Department, Bhilai Steel Plant, Bhilai, District Durg, (Chhattisgarh)

---- Respondents

For Petitioner
For Respondents

Shri Ajay Thakre, Advocate
Dr. N. K. Shukla, Senior Advocate with Ms.
Priya Mishra, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

13/12/2016

1. Petitioner's late husband was an employee of the Bhilai Steel Plant. After his death in the year 2010, the petitioner retained possession of the House No.010A, however, subsequently, her brother-in-law (Jeth) forcibly occupied the quarter and the petitioner was thrown out of the house.
2. Since the petitioner was no longer in possession of the quarter, she did not hand over possession of the same to the Bhilai Steel Plant, therefore, the monthly subsistence allowance paid to her

has been stopped.

3. In the considered opinion of this Court, any payment in form of pensionary benefit or retiral benefit to a dependent of deceased employee of Bhilai Steel Plant would be a service matter for which the petitioner has remedy of preferring original application before the jurisdictional Central Administrative Tribunal for the reason that the Steel Authority of India Limited/Bhilai Steel Plant has been notified for being amenable to the jurisdiction of the Central Administrative Tribunal.
4. In view of the above, the writ petition is disposed of with liberty to the petitioner to approach the jurisdictional Central Administrative Tribunal and at the same time liberty is also reserved in favour of the Bhilai Steel Plant to proceed against any unauthorized occupant of Quarter No.010A, Street No.29, Sector 5.
5. If the petitioner moves before the jurisdictional Central Administrative Tribunal, it is expected that the same be considered expeditiously.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala