

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 162 of 2017

- Bhupendra Kumar Sao, S/o Shri G. S. Sao, Aged About 41 Years, Working As Administrative Officer At CIMS Hospital Bilaspur, R/o C/o Shri R. P. Tripathi, 46 Shanti Nagar, Ring Road No.2, Near Rani Sati Mandir, Bilaspur, District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, General Administration Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
2. Collector, Office Of Collector, District Bilaspur (Chhattisgarh)
3. Collector, Office Of Collector, District Raigarh (Chhattisgarh)
4. Joint Collector, Office Of Collector, District Bilaspur (Chhattisgarh)
5. Shri P. C. Kori, Dy. Collector, Raigarh, District Raigarh (Chhattisgarh)
6. Shri Vijay Kori, (Commercial Officer, South East Central Railway Bilaspur), R/o Govt. Quarter No. G-28, Nutan Colony, Sarkanda, Bilaspur, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	Shri Vinod Deshmukh, Advocate
For Respondent-State	Shri Arun Sao, Dy. AG
For Respondent Nos.5 & 6	Shri S. Majid Ali, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/02/2017

1. The dispute pertains to allotment of Quarter No.G-28, Nutan Colony, Sarkanda, Bilaspur. This quarter was allotted to the petitioner in anticipation of its vacation by the respondent No.5, who was then serving as Tahsildar, Bilaspur, presently posted as Deputy Collector, Raigarh.
2. According to the petitioner, the respondent No.5 has been allotted a government accommodation at Raigarh, yet he is not vacating the quarter at Bilaspur, which is presently occupied by his brother Shri Vijay Kori, the respondent No.6, who is a railway employee.
3. Shri Arun Sao, learned Dy. Advocate General, would submit that on account of some personal difficulty including the ailment of the old aged mother of the respondent No.5, his prayer for occupation of the subject quarter has been allowed by the Commissioner, Bilaspur Division and he has been permitted to retain the quarter till March 2017. He would further submit that the quarter is retained by the respondent No.5 only and is not occupied by the respondent No.6. Shri Sao would also submit that if the petitioner moves fresh application, his claim for allotment of government quarter would be considered in accordance with the relevant government instructions. In view of the subsequent earmarking of the subject quarter for Tahsildar, it may or may not be possible for allotment to petitioner.

4. Considering the statement made by Shri Arun Sao, learned Dy. Advocate General, the writ petition is disposed of with an observation that in the event the petitioner moves a fresh application for allotment before the Collector, Bilaspur, the same shall be considered in accordance with the relevant government instructions and orders thereon shall be passed as and when accommodation is available or is likely to be available.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala