

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1708 of 2020

1. Gajendra Kumar Sagar, S/o Late Santosh Sagar, Aged About 45 Years, R/o I/6, Irrigation Colony, Shanti Nagar, Raipur, District : Raipur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Water Resources Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District : Raipur, Chhattisgarh
2. Secretary, Housing And Environmental Department, Mantralaya, Mahanadi Bhawan, Naya Raiupur, District : Raipur, Chhattisgarh
3. Chhattisgarh Griha Nirman Mandal, Through Its Commissioner, Head Quarters, Paryavaran Bhawan, North Block, Sector 19, Atal Nagar, Naya Raipur, District : Raipur, Chhattisgarh
4. Estate Directorate, Indrawati Bhawan, Bhawan, Atal Nagar, Naya Raipur, District : Raipur, Chhattisgarh
5. Collector Raipur, District : Raipur, Chhattisgarh

----- Respondents

For Petitioner	:	Mr. Anoop Majumdar, Advocate
For State	:	Mr. Jitendra Pali, Dy. Advocate Gen.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06.08.2020

1. The grievance of the petitioner in the present writ petition seems to be the order passed by the respondents directing the petitioner to shift to a different accommodation allotted by the respondents.
2. The grievance of the petitioner is that the petitioner and his family members have been residing in the present Government quarter for

quite some time and now during this pandemic period, the respondents have passed an order directing the petitioner to shift from the present allotted Government quarter to a different Government accommodation. This according to the counsel for the petitioner, would create unnecessary hardship to the petitioner. Another ground which the counsel for the petitioner has raised is the fact that on one hand, the respondents have directed the petitioner to vacate the quarter and on the other hand, the higher authorities in the department are passing allotment orders in favour of other employees, providing quarter in the same locality.

3. On perusal of the records, it appears that vide Annexure P-1 dated 17.06.2020 the entire Irrigation Colony situated at Shanti Nagar-Raipur, (C.G) has been handed-over to the Chhattisgarh Housing Board under the Housing and Environment Department of the State of Chhattisgarh. The entire colony having been transferred to the Housing Board, the petitioner who was residing in one of the quarters in that area as a Government Employee as such would not be having any right over the said property. The petitioner could have only claimed for alternative suitable accommodation. The documents, which have been subsequently filed by the petitioner show that the petitioner has been granted official accommodation at a different location by the Department.
4. Given the fact, the petitioner has been granted alternative Government accommodation, this Court is of the opinion that the petitioner cannot as such have any insistence for him to be permitted

to reside at the present quarter alone. Moreover, the entire colony itself has been handed over to the Housing Board. If at all, if the authorities in the Department have allotted any quarter in that area subsequent to the transfer being made it is expected that the respondent-authorities shall take appropriate steps in this regard.

5. As regards the difficulty, which the petitioner may face as of now in shifting, this Court is of the opinion that let the petitioner be granted thirty days' time for shifting himself to the new accommodation provided by the respondents, before which the respondents should not take any coercive steps.
6. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge