

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2245 of 2020**

Ved Kunwar Bhaina Wd/o Late Shri Sita Ram Bhaina Aged About 43 Years R/o New Rajendra Nagar, A/207, Senior Mig, Vijayta Complex, District- Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Home, Mahanadi Bhawan, Naya Raipur, Chhattisgarh
2. Director, Directorate Of Estate (Home), Atal Nagar, Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Vinay Pandey, Advocate
For State	:	Mr. Vivek Ranjan Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/10/2020**

1. The challenge in the present writ petition seems to be the order Annexure P/1 whereby the authorities have issued a notice to the petitioner to vacate the official quarter allotted to the husband of the petitioner.
2. It is a case where the husband of the petitioner was working under the respondents and he died in harness on 04.09.2019. Thereafter, the children of the petitioner has approached the authorities for grant of compassionate appointment and the matter is still pending. Meanwhile, the respondents had permitted the petitioner to retain the quarter as per the Rules for a period of one

year, which has since got completed in September 2020 and thereafter the impugned notice has been issued now.

3. The counsel for the petitioner submits that taking into consideration the peculiar facts of the case firstly the ongoing the pandemic situation the petitioner may find it difficult to get alternative accommodation at this juncture. Secondly, the monsoon season also on its peak and therefore, it would be difficult for the petitioner to move from one destination to another and thirdly the application for compassionate appointment already pending consideration, some reasonable time may be granted enabling the petitioner to continue retention of the said accommodation by them.
4. Though the law does not permit to retain the official quarter for a period beyond one year, but taking into consideration the first two grounds that the petitioner has raised i.e. the monsoon season and the COVID-19 pandemic both being at its peak at this juncture, this Court is of the opinion that a reasonable period of 60 days time if granted to the petitioner, would serve the ends of justice. Accordingly, the writ petition stands disposed of directing the petitioner to ensure finding an alternative arrangement within a period of 60 days, by the end of which time the petitioner should definitely vacate the official quarter allotted to the husband of the petitioner. Unless of-course the Government allots the quarter to the petitioner under any other arrangement if any. Meanwhile, during these 60 days period the respondent authorities are directed not to initiate any coercive method for evicting the petitioner from the said premises.

5. We make it clear that the petitioner shall be entitled to retain the quarter for a period of 60 days from today and by the end of which the petitioner should definitely vacate the premises and handover the vacant possession to the respondents.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved