

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 18652 OF 2013

Abhaya Kumar Barik

Petitioner

Mr. Biren S. Tripathy, Advocate

-versus-

***The Inspector General of Police and
others***

.... Opp. Parties

Mr. Prasanna Kumar Parhi,
Assistant Solicitor General
along with Mr. B.K. Padhi,
Central Government Counsel

**CORAM:
JUSTICE K.R. MOHAPATRA**

**ORDER
29.04.2022**

Order No.

3.
 1. This matter is taken up through hybrid mode.
 2. The Petitioner in this writ petition seeks to assail the notice dated 2nd August, 2013 (Annexure-3) issued by the DIGP-cum-Estate Officer, Group Centre, CRPF, Bhubaneswar directing him to vacate the Government Family Quarter No.493, Type-II in Group Centre, Bhubaneswar.
 3. Mr. Tripathy, learned counsel submits that the Petitioner being CRPF Personnel is posted at Srinagar in Jammu and Kashmir. As per the CRPF Accommodation Rules, 2008 and instruction issued by the DIGP (Adm), the Petitioner is entitled to retain the quarter till his continuance in Jammu and Kashmir and Left Wing Extremists (LWE) area. Since the Petitioner is at present continuing at Srinagar in Jammu and Kashmir, he is entitled to retain the Quarters in question. Without considering the same, the DIGP-cum-Estate Officer, Group Centre, CRPF,

Bhubaneswar-Opposite Party No.2 issued the notice under Annexure-3. Thus, the Petitioner finding no other alternative has approached this Court in the present writ petition.

4. Considering the guidelines as at Annexure-1, this Court vide order dated 19th August, 2013 while issuing notice in the matter directed the parties to maintain status quo in respect of Quarters in question till the next date of listing. The said order is continuing till today.

5. Mr. Parhi, learned Assistant Solicitor General submits that at present the Petitioner is not continuing at Srinagar in Jammu and Kashmir, but he is posted at 12 Bn VSIG, Eastern Sector. Thus, he is not entitled to retain the said Quarters.

6. Taking into consideration the submissions made by learned counsel for the parties and the fact that the Opposite Party No.2 is competent to redress the grievance of the Petitioner, this Court without expressing any opinion on the merit of the case of the Petitioner disposes of this writ petition directing that in the event, the Petitioner submits a comprehensive representation before the DIGP-cum-Estate Officer, Group Centre, CRPF, Bhubaneswar-Opposite Party No.2 within a period of fifteen days hence for redressal of his grievances with regard to retention of Quarters No.493, Type-II, Group Centre, Bhubaneswar along with certified copy of this order, the same shall be considered and disposed of as expeditiously as possible preferably within a period of one month therefrom by passing a reasoned order and the result thereof be communicated to the Petitioner forthwith.

7. Till disposal of such representation, if filed within the time stipulated, as aforesaid, no coercive action for eviction of the Petitioner from Government Family Quarter No.493, Type-II in Group Center, Bhubaneswar shall be undertaken, if he is not evicted in the meantime.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

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