

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 21028 OF 2013

Anterjyami Moharana

Petitioner

Mr. Situl Mohanty, Advocate on
behalf of Mr. Atal B. Mohanty, Advocate

-versus-

***Central Reserve Police Force, New
Delhi and others***

.... Opp. Parties

Mr. Prasanna Kumar Parhi,
Assistant Solicitor General
along with Mr. Deepak Gochhayat,
Central Government Counsel

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

**ORDER
02.05.2022**

Order No.

5.
 1. This matter is taken up through hybrid mode.
 2. The Petitioner in this writ petition seeks to assail the notice dated 17th August, 2013 (Annexure-9) issued by the DIGP-cum-Estate Officer, Group Centre, CRPF, Bhubaneswar directing him to vacate the Government Family Quarter No.33, Type-I/spl in Group Centre, Bhubaneswar.
 3. Mr. Mohanty, learned counsel submits that the Petitioner being CRPF Personnel is posted at 48 Bn., VSDG, CRPF in West Midnapore (West Bengal). 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 West Midnapore (West Bengal), which is a Left Wing Extremists (LWE) area. Since the Petitioner is at present continuing in LWE area, 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.3 issued the notice under Annexure-9. Thus, the Petitioner finding no other alternative has approached this Court in the present writ petition.

4. Considering the guidelines as at Annexure-10, this Court vide order dated 12th September, 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 West Midnapore (West Bengal), but he is posted at 48 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.3 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.3 within a period of fifteen days hence for redressal of his grievances with regard to retention of Quarters No.33, Type-I/spl in 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.33, Type-Ispl in Group Centre, 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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