

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 9214 of 2022

Balabhadra Behuria

..... Petitioner

Mr. L.K.Maharana, Advocate

-versus-

***Steel Authority of India Limited and
others***

.... Opp. Parties

Mr. H.M.Dhal, Advocate,

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

29.04.2022

Order No.

2. 1. This matter is taken up through Hybrid mode.
2. 2. Petitioner in this writ petition seeks for a direction to set aside Notice No.527/10 dated 29th March, 2022 (Annexure-6), whereby the Petitioner has been directed to vacate Qrs. No.D/182, Sector-18, Rourkela within fifteen days.
3. 3. Taking into consideration the submission made by learned counsel for the Petitioner and on perusal of case record, this Court, vide order dated 12th April, 2022 directed as under:-

“Upon hearing learned counsel for the Petitioner and on perusal of the order dated 16th October, 2020 passed by the Hon’ble Supreme Court in Miscellaneous Application No.1448 of 2020 (arising out of Civil Appeal No.1834 of 2018), this Court directs the Petitioner to furnish an undertaking as to when he can vacate the quarters in his occupation. An affidavit along with the undertaking shall be filed within a period of two weeks serving copy thereof on the Assistant Manager (TS)-Allot & ES, Rourkela Steel Plant (SAIL), Rourkela.

Put up this matter on 29th April, 2022.”

4. In obedience to the above order, Mr. Maharana, learned counsel for the Petitioner files affidavit of the Petitioner in Court today, which discloses that the Petitioner has given an undertaking to vacate the aforesaid quarters within three years.

5. Mr. Dhal, learned counsel for Rourkela Steel Plant submits, taking into consideration the facts and circumstances of the case and the order passed by the Hon'ble Supreme Court, as aforesaid, such an undertaking is not acceptable.

6. Mr. Maharana, learned counsel for the Petitioner, however, submits that the Petitioner is a senior citizen of 80 years and has to find out a suitable alternate accommodation for his family. As private accommodations are not easily available at Rourkela, the Petitioner requires a reasonable time to find out a suitable accommodation for his family. Mr. Dhal, learned counsel for Rourkela Steel Plant, however, submits three years, as undertaken, cannot be said to be the reasonable period.

7. Taking into consideration the rival contentions of the parties, this Court disposes of the writ petition directing the Petitioner to vacate Qrs. No.D/182, Sector-18, Rourkela by 31st December, 2022 and deliver vacant possession of the quarters to Opposite Party No.3 by that date.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge