

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 16915 of 2022

Chittaranjan Pradhan

....

Petitioner

Mr.B.K. Pattanaik, Advocate

-versus-

*Mahanadi Coal Fields Ltd, Sambalpur
and others*

....

Opp. Parties

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
13.07.2022**

Order No.

1

1. Heard learned counsel for the Petitioner.

2. Even though so many grounds have been raised, ultimately it is ascertained that the son, Chittaranjan Pradhan though not an allottee of the quarter but he is occupying the quarter allotted to his father's name, who at some point of time was an employee of Mahanadi Coal Field Ltd. There is no dispute that father has retired since long and has no right to continue with the quarter. There is disclosure that there is some issues pending with regard to release of retiral dues etc. involving the father of the Petitioner. Through the disclosure in the writ petition, this Court finds, the father of the Petitioner was allotted with the quarter involved being an employee. Law has been well settled that an employee can retain the quarter so long as he is in service and authorized to stay within his service period only. Once a person retired, he has no right to retain the quarter. The case involved herein a notice has been issued to the son of the allottee, who undisputedly an employee of the Mahanadi Coal Fields Ltd. It is submitted that there should not have been a notice to the son even though he is an employee of the same establishment and also co-occupier, this Court while proceeding with the matter on merit, a request is made by Mr. B.K. Pattanaik, learned

counsel for the Petitioner for at least provide them two months time to vacate the quarter involved to the allottee as well as the Petitioner.

3. Considering the facts and circumstances of the case, this Court finding the age of the father of the Petitioner and the discloser on his health condition presently permits the Petitioner and his father to submit an application to the employer within a period of one week for at least provide them two months time from today to vacate the quarter. In such event, the employer shall do well in considering the request of the Petitioner and the father of the Petitioner involving the disputed quarter at least two months time to vacate the quarter involved herein and may not be disturbed for two months at least.

4. With the above observation, the writ petition stands disposed of.

5. Issue urgent certified copy as per rules.

(Biswanath Rath)
Judge

uks