

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) NO. OF 2022**

***Bharati Das***

***.... Petitioner***

Mr. Bikram Rath, Advocate

***-versus-***

***State of Odisha and others***

***.... Opp. Parties***

Mr. Swayambhu Mishra,  
Additional Standing Counsel

**CORAM:**

**JUSTICE K.R. MOHAPATRA**

**ORDER**

**14.11.2022**

**Order No.**

2. 1. This matter is taken up through hybrid mode.
2. This writ petition has been filed for a direction to the Additional Director of Estates, GA&PG Department, Government of Odisha, Bhubaneswar to dispose of review application under Annexure-6 within a stipulated time and further prays for a direction not to take any coercive action against the Petitioner to evict her from Qr. No.3, Type-D at Kalpana Area, Bhubaneswar.
3. Considering the submission made by learned counsel for the Petitioner, this Court vide order dated 1<sup>st</sup> November, 2022 directed learned State Counsel to take instruction as to whether the Petitioner can retain Qrs.No.3 Type-D, Kalpana Area, Bhubaneswar more particularly in view of circular dated 4<sup>th</sup> February, 2015 of G.A. Department.
4. Mr. Mishra, learned Additional Standing Counsel, on instruction, submits that vide Circular No. 12129 dated 4<sup>th</sup> April,

2020, the Government employees, who are in occupation of Government quarters at Bhubaneswar and Cuttack if transferred to Cuttack and Bhubaneswar respectively and if they are allowed by the concerned Administrative Department to make journey from their previous place of posting to the present place of posting to attend their duties, they can retain their quarters on payment of normal rent. But, in the instant case, neither the Petitioner was ever posted at Bhubaneswar nor the Petitioner is entitled to retain the quarter in question, which was allotted in favour her husband, who has retired since long.

5. In that view of the matter, learned counsel for the Petitioner submits that interest of justice will be best served, if the Petitioner makes an application for allotment of a suitable quarter at Bhubaneswar.

6. In view of such submission, this writ petition is disposed of with an observation that if such an application is filed, the same shall be considered in accordance with law.

7. It is made clear that this Court has not expressed any opinion on the entitlement of the Petitioner for allotment of a quarter at Bhubaneswar.

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

**(K.R. Mohapatra)**  
**Judge**

*bks*