

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 31135 OF 2022

Muck Cleaning Workers Development Society, Jagatsinghpur ***Petitioner***

Mr. Prasanta Kumar Jena, Advocate

-versus-

Chairman, Paradeep Post Trust and another ***Opp. Parties***

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

**ORDER
07.12.2022**

Order No.

01. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition seeks for a direction to set aside the order dated 26th September, 2022 (Annexure-2) and notice dated 15th July, 2021 (Annexure-3) to the writ petition.
3. Mr. Jena, learned counsel for the Petitioner submits that vide notice dated 15th July, 2021 under Annexure-3, the Paradip Port Trust informed the Petitioner-Union to deposit house rent and water charges in respect of Quarter No.MB-44 amounting of Rs.20,105/- within fifteen days. Assailing such notice, the Petitioner made a representation to the Paradip Port Trust stating that it is being discriminated in demanding the rent and water charges, as quarters with similar nature and facility has been allotted to the Paradip Labour Co-operative Society at a meager amount of Rs.153/- per month. The said representation of the Petitioner was not paid any heed. Hence, the Petitioner-Union approached this Court in W.P.(C) No.21436 of 2021, which was disposed of on 29th August, 2022 directing the Paradip Port Trust Authorities to take a decision on the grievance petition of the Petitioner-Union dated 20th July, 2021.

Pursuant to the said direction, the impugned order under Annexure-2 has been passed on the ground that the regulation of engagement of the Petitioner-Union through the Paradip Labour Co-operative Societies were ceased since 1st April, 2022 vide Paradip Port Authority Board Resolution No.36 of 2022-23 dated 28th March, 2022. Thus, the Petitioner-Union is no more eligible to get the port quarters.

4. Mr. Jena, learned counsel for the Petitioner submits that since the similarly situated labour union have been allotted with quarters with similar facility, as that of the Petitioner-Union, it should not be discriminated. It is submitted that the Paradip Labour Co-operative Society is still continuing with the quarter allotted to it at a philanthropic rate. As such, there is no reason to deny the same to the Petitioner-Union.

5. Taking into consideration the submission made by learned counsel for the Petitioner and on perusal of the record, more particularly Annexure-7, i.e. Office order dated 17th October, 2019 issued by the Paradip Port Trust, it appears that the Petitioner by accepting the offer to occupy the aforesaid port quarters, deposited the rent and water charges for one year. After accepting the offer made by the Paradip Port Trust to occupy the said quarter, the Petitioner-Union cannot retreat from its promise and raise a claim to pay the rent at a lesser rate. Thus, I find no infirmity in the impugned order under Annexure-2.

6. As such, this writ petition being devoid of any merit stands dismissed.

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

(K.R. Mohapatra)
Judge