

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19264 of 2015

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Anita Raj wife of Bharat Prasad Resident of Village Mahuapur, P.S. Sahpur,
Distt Bhojpur at Arrah at Present resident of Type II, Block N. N/82, House
No. B/14 at Mokama, P.S. Mokama, District- Patna.

... .. Petitioner/s

Versus

1. The Union of India
2. The Inspector General Bihar Sector, C.R.P.F. Patna Bihar,
3. The D.I.G. cum the Chairman State Housing Management Committee
Digha, Bihar, Patna.
4. D.I.G. Group Centre, C.R.P.F. Mokamaghat, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar, Advocate
For the Respondent/s : Mr. Sujeet Kumar Sinha, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-09-2023 The present writ petition has been filed
seeking the following relief:-

*“1. That this writ application is
being filed on behalf of petitioner
for issuance of writ or writs, order
(s), direction or directions
commanding the respondents to
allow the petitioner to retain the
house of type II Block N. N/82,
House No. B/14 at Mokamaghat,
Patna which has been allotted in the
name of petitioner's husband
namely Bharat Prasad the Har
005201541 the wireless operator,*



D/5B wireless, C.R.P.F.”

2. At the outset, the learned counsel for the respondents has submitted, by referring to the counter affidavit filed in the present case, that pursuant to the transfer order dated 19.01.2012, the petitioner was relieved, to join at the transferred place i.e. at Chandigarh, by 30th April, 2012, hence the husband of the petitioner was required to vacate the quarter allotted to him at the earlier place of posting i.e. at Mokamaghat. Nonetheless, the husband of the petitioner had made an application for retention of the quarter at Mokamaghat, which was rejected vide order dated 29.06.2015 and he was informed accordingly. It is further submitted by the Ld. Counsel for the respondents that the facility of retaining government quarter is provided to an incumbent who is posted at a difficult station but not as a matter of right, however, since Chandigarh (Union Territory), is not a difficult station, there is no provision under which the petitioner can retain quarter at his earlier place of posting, hence there



is no merit in the present writ petition, thus the same is fit to be dismissed. Lastly, it is submitted that the present writ petition is also not maintainable on the ground that the personnel, employed with the respondents, has not approached this Court, instead his wife has approached this Court, who, in any view of the matter, has got no right over the government quarter in question.

3. Having regard to the facts and circumstances of the case as also considering the stand taken by the respondents, as aforesaid, not refuted by the petitioner herein, inasmuch as no rejoinder affidavit has been filed, I do not find any merit in the present writ petition, thus the present writ petition stands dismissed.

(Mohit Kumar Shah, J)

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