

IN THE HIGH COURT OF JUDICATURE AT PATNA
COMPANY APPEAL(DB) No.4 of 2022

In
COMPANY PETITION No.3 of 1984

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Akash Kumar Son of Late Kamla Singh, Resident of Quarter No. SC/73,
Chowdhary Chowk, Ward No. 9, Dalmia Nagar, P.S. Dehri, District-Rohtas.

... .. Appellant/s

Versus

M/s Rohtas Industries Ltd. (in Liquidation) through the Official Liquidator,
Patna High Court having its Office situated at 4th Floor, Block-A, Maurya
Lok Complex, Dak Bungalow Road, P.S. Kotwali, District-Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. S.D. Sanjay, Sr. Advocate
		Mr. Mohit Agarwal, Advocate
For the Respondent/s	:	Mr. Gautam Kumar Kejriwal

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

6 26-07-2023 Core issue involved in the present Appeal is that

the Appellant, Akash Kumar, is entitled to continue in quarter

no. SC-73 or not?

2. Gist of the matter is that the Appellant's grand
father, late Baban Singh, was an ex-worker of the respondent
company under liquidation. He was allotted quarter no. SC-69.
Quarter No. SC-73 was allotted to Binod Uraon. Binod Uraon
is stated to have handed over key to the Appellant to look after
and take care of the Quarter No. SC-73.

3. In this backdrop, the petitioner, Akash Kumar is
stated to have unauthorizedly occupied Quarter No. SC-73.



4. In view of these facts and circumstances, question for consideration is whether the Appellant is entitled to occupy the Quarter No. SC-73 while paying rent till auction of property or not?

5. Learned counsel for the appellant submitted that in identical situation, respondents have permitted such of those illegally occupying quarters to pay rent till auction of the subject land.

6. If the respondent authorities have committed any error in extending certain benefits to such of those illegally occupying quarters and paying rent, the same yardstick is not applicable to the appellant, since the original quarter allotted to his grand father, late Baban Singh, was SC-69 and not quarter no. SC-73 so as to contend that there is discrimination in so far as continuing of illegal quarters while paying rent till the disposal of the subject land.

7. Accordingly, the Appeal stands dismissed.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

Skm/chandan/-

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