2026:JHHC:31524

IN THE HIGH COURT OF JHARKHAND, RANCHI

C.M.P. No. 1079 of 2026

Birendra Kumar Singh, aged about 72 years, son of late Satyanarayan Singh, resident of Quarter No.3040, Sector-8/D, PO and PS -Harla, District Bokaro, Jharkhand

.... Petitioner(s)

-- Versus --

1.SAIL, Bokaro Steel Plant, through its Director, Office at Ispat Bhawan, Adm.Building, PO and PS Bokaro, District Bokaro, Jharkhand

2.The Estate Officer, Bokaro Steel City, PO and PS Bokaro, District Bokaro, Jharkhand *..... .... Opp. Parties*

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner(s) :- Mr. Vikash Kumar, Advocate
For the Opp.Parties/SAIL:- Mr. Bibhash Sinha, Advocate
Mr. Amitabh Prasad, Advocate
Mr. Rishav Raj, Advocate

5/28.10.2026 This petition has been filed under Article 227 of the Constitution of India for setting aside the judgment/ order dated 01.04.2026 passed by learned Principal District Judge, Bokaro in Civil Miscellaneous Appeal No.41/ 2025 whereby the appeal preferred by the petitioner against the order dated 22.09.2025 passed in A/E Case No.78/2018 has been dismissed and the order of eviction along with imposition of penal rent and other charges has been affirmed.

2. Mr. Vikash Kumar, the learned counsel appearing on behalf of the petitioner submits that the petitioner was an employee of Bokaro Steel Plant and during the course of service, Quarter No.3040, Sector -8/D, Bokaro Steel City was allotted to him by the respondent authorities vide Allotment Order No.0541 dated 27.05.2002 and thereafter the petitioner has occupied the same and living in the same quarter. He next submits that the petitioner has attained the age of superannuation and has retired from service on 30.06.2014 vide Order No.37958/R dated 28.03.2014. He also submits that the respondent authorities permitted the petitioner to retain the said quarter till 30.06.2015 in accordance with the applicable policy/rules governing retention of the quarters after retirement. He next submits that after the retirement, several retiral and terminal dues payable to the petitioner were not released within a reasonable time and in view of that the petitioner has not evicted the said quarter, however, the case was instituted by the Estate Officer, Bokaro Steel Plant on the provisions of Public Premises (Eviction of Unauthorized Occupants) Act, 1971 which was registered as A/E Case No.78/2018 before the learned Estate Officer alleging unauthorized occupation of the quarter after expiry of the retention period which has been allowed by the order dated 22.09.2025. He next submits that against the said order, the petitioner has preferred the appeal and by the impugned order, the

appeal has been dismissed and the learned Estate Officer order has been confirmed. He next submits that even the penal rent has been directed to charged. He next submits in view of that, the impugned order is not reasonable and as such, the same may kindly be set aside.

3. Mr. Bibhash Sinha, the learned counsel appearing on behalf of the respondent/ SAIL, Bokaro Steel Plant submits that the Company has been kind enough to extent the retention of the quarter till 30.06.2015 and till date, the petitioner has not vacated the same. He next submits that in terms of the Company policy, penal rent has been charged and he also submits that the penal rent is more than the retained amount. He submits that the entire retiral benefits have been paid to the petitioner except the gratuity which is being retained by the Company in terms of the policy and the policy is that, once after the extended period, the quarter is vacated, the Company used to pay the said gratuity and if it is not being vacated within time, from that extended period, the penal rent is being deducted from the gratuity amount. He submits that this issue was the subject matter before this Court in a Batch of Cases which travelled up to the Hon'ble Supreme Court and the Hon'ble Supreme Court in Special Leave Petition (Civil) Nos.025516 – 025517 of 2024 by the order dated 18.03.2026 has been pleased to held that the penal rent in terms of the policy of the company is a

valid one.

4. It is an admitted position that the petitioner was an employee of SAIL, Bokaro Steel Plant and he has been superannuated and has retired from service on 30.06.2014 and the company has been kind enough to extend the period of eviction of the quarter till 30.06.2015 and it has been pointed out that the entire retiral benefits have been paid to the petitioner except gratuity and the policy of the company is to deduct the penal rent from the gratuity amount and that has been affirmed by the Hon'ble Supreme Court in Special Leave Petition (Civil) Nos.025516 – 025517 of 2024 by the order dated 18.03.2026 and the petitioner has not been able to point out any apparent error in the judgment of the learned appellate court, and sitting under Article 227 of the Constitution of India only the apparent errors are required to be rectified by the High Court, and there is no illegality in the impugned order dated 01.04.2026 passed in Civil Miscellaneous Appeal No.41/ 2025 by the learned Principal District Judge, Bokaro.

5. Accordingly, this CMP being C.M.P. No. 1079 of 2026 is, hereby, dismissed.

6. Pending petition, if any, also stands disposed of.

(Sanjay Kumar Dwivedi, J.)

Dated : 28.10.2026
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