IN THE HIGH COURT OF JHARKHAND AT RANCHI

L.P.A. No. 269 of 2021

1. Union of India through the Secretary, Ministry of Steel, Government of India, New Delhi-110 001, P.O. New Delhi, P.S. New Delhi, New Delhi.
2. The Management of Steel Authority of India Limited, a company registered under the Companies Act, 1956, having its registered office at Ispat Bhawan, Lodi Road, New Delhi, and one of its Unit known as Bokaro Steel Plant of Bokaro Steel City, P.O. Bokaro Steel City, P.S. Bokaro Steel City, District Bokaro, through its D.G.M. (Law) A.K. Upadhyay, aged about 55 years, son of Shri S.N. Upadhyay, resident of 242-A, Cooperative Colony, SAIL Bokaro Steel City, P.O. Bokaro Steel City, P.S. Bokaro Steel City, District Bokaro (Jharkhand).
3. Bokaro Steel Limited, a Unit of Steel Authority of India Limited, through its Managing Director, Bokaro Steel City, P.O. Bokaro Steel City, P.S. Bokaro Steel City, District Bokaro (Jharkhand).
4. Executive Director (E&A), Bokaro Steel Limited, having its office at Administrative Building, P.O. Bokaro, P.S. Bokaro, District Bokaro (Jharkhand).
5. General Manager (Town Administration), Bokaro Steel Limited, Bokaro Steel City, P.O. Bokaro, P.S. Bokaro, District Bokaro (Jharkhand).

…… …… Appellants

Versus

1. Shanti Devi (Staff No. 608143), daughter of Late P.K. Ram, resident of Quarter No. 2008, Sector-4C, Bokaro Steel City, Bokaro, P.O. Bokaro, P.S. Bokaro, District Bokaro (Jharkhand).
2. Harish Chandra Srivastava (Staff No. 337255), son of Late Baleshwar Prasad Srivastava, resident of Quarter No. 7086, Sector-4F, Bokaro Steel City, P.O. Bokaro, P.S. Bokaro, District Bokaro (Jharkhand).
3. Mukul Marki (Staff No. 663882), son of Late P.D. Marki, resident of Quarter No. 1117, Sector-4C, Bokaro Steel City, P.O. Bokaro, P.S. Bokaro, District Bokaro (Jharkhand).
4. Visheshwar Prasad Sharma (Staff No. 462979), son of Late Barahmdeo Prasad, resident of Quarter No. 1064, Sector-5A, Bokaro Steel City, P.O. Bokaro, P.S. Bokaro, District Bokaro (Jharkhand).
5. Bhogendra Narain Singh Thakur (Staff No. 318594), son of Late Surja Narain Singh Thakur, resident of Quarter No. 282, Sector-3C, Bokaro Steel City, P.O. Bokaro, P.S. Bokaro, District Bokaro (Jharkhand).
6. Mahendra Mishra (Staff No. 376211), son of Shri Sita Ram Mishra, resident of Quarter No. 285, Sector-3C, Bokaro Steel City, P.O. Bokaro, P.S. Bokaro, District Bokaro (Jharkhand).
7. Radha Kan Jha (Staff No. 381731), son of Late Shambhu Nath Jha, resident of Quarter No. 2192, Sector-12F, Bokaro Steel City, P.O. Bokaro, P.S. Bokaro, District Bokaro (Jharkhand).
8. Birendra Prasad Ojha (Staff No. 373697), son of Late Brij Bihari Ojha, resident of Quarter No. 2108, Sector-6A, Bokaro Steel City, P.O. Bokaro, P.S. Bokaro, District Bokaro (Jharkhand).
9. Sachindra Prasad Pandey (Staff No. 410358), son of Late Yogeshwar Pandey, resident of Quarter No. 406, Sector-3B, Bokaro Steel City, P.O. Bokaro, P.S. Bokaro, District Bokaro (Jharkhand).
10. Janardan Prasad (Staff No. 444050), son of Shri Luxmi Kant, resident of Quarter No. 47, Sector-1C, Bokaro Steel City, P.O. Bokaro, P.S. Bokaro, District Bokaro (Jharkhand).
11. Buddh Deb Chatterjee (Staff No. 253162), son of Late Bankim Mohan Chatterjee, resident of Quarter No. 5102, Sector-4F, Bokaro Steel City, P.O. Bokaro, P.S. Bokaro, District Bokaro (Jharkhand).

…… ….. Respondents

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MANOJ PRASAD

For the Appellants : Mr Bibhash Sinha, Advocate
For the Resp.No.1 : Mr Krishna Prajapati, Advocate

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09 /Dated: 27.10.2026

1. Heard Mr Bibhash Sinha, learned counsel for the appellants, and Mr Krishna Prajapati, learned counsel for the 1st respondent.

2. Mr Bibhash Sinha, learned counsel for the appellants, states that all respondents have been duly served, and an affidavit of service has been filed in this matter. The record also shows that all respondents have been duly served.

3. On 29.09.2026, after hearing Mr Indrajit Sinha, learned counsel for the appellants, and Mr Krishna Prajapati, learned counsel for the 1st respondent, we made the following order:-

> *"1. Heard Mr. Indrajit Sinha, counsel for the appellants.*
>
> *2. Mr. Sinha states that notices have been served upon all the respondents except 10th respondent. Mr. Sinha further states that while efforts will be made to serve respondent No.10, service upon him is not very relevant because the appellants have already paid this respondent the amounts in terms of the decision of the Hon'ble Supreme Court in the case of Ram Naresh Singh vs. Bokaro Steel Limited Civil Appeal No. 4740 of 2017 arising out of S.L.P. (C) No. 30325 of 2014 even though, it is the appellants' case that the law laid down in Ram Naresh Singh (Supra) no longer holds good given the later decision of the Hon'ble Supreme Court in the case of Management of Steel Authority of India and Others vs. Shambhu Prasad Singh and Others Civil Appeal arising out of Special Leave Petition (Civil) Nos. 025516- 025517 of 2024 2026 INSC 263.*
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> *3. Mr. Krishna Prajapati, appears for the 1st respondent.*

4. Despite service, except on behalf of the 1st respondent, there is no appearance or representation for the other respondents.
5. Since, we propose to dispose of this appeal finally at Admission stage, we post the matter on 27th of October 2026, High on Board. This is to grant the respondents an additional opportunity.
6. Since this matter is of 'abandunt caution', we direct that 7th respondent may be re-served informing him that the matter is now posted for final disposal at the Admission stage on 27th of October 2026.
7. Notice is waived and accepted. In addition to the usual mode of service, private/personal service is permitted.
8. Affidavit of service to be filed."

4. Pursuant to the above order, the 7th respondent has also been served, and an affidavit of service has been filed by the appellants in this matter.

5. On behalf of the appellants, Mr Amit Kumar Mazumdar, Deputy Manager of the appellant-company, i.e., SAIL (BSL), filed the supplementary affidavit on 25.09.2026.

6. Paragraphs 4 and 5 of the above affidavit are relevant, and therefore, the same are transcribed below for the convenience of reference:-

"4. That the appellant states that out of 11 respondents, 10 numbers of respondents have vacated their quarter thereafter for 09 respondents their gratuity after adjustment has already been released. So far as Birendra Prasad Ojha (respondent no. 8 of the instant appeal) is concerned, after charging penal rent, an amount of Rs. 1,21,392/- is found recoverable as excess due. It is also pertinent to mention that Radha Kant Jha (respondent no. 7 of the instant appeal) has not vacated the quarter till date.

Sl	*SAP ID*	*Name*	*Address*	*Payment status as on 23.09.2026*	*Paid*	*Payment Date*
1	*E253162*	*Buddh Deb Chatterjee (Respondent no.11)*	*04F/C/5102*	*Payment made*	*3,603.97*	*07.09.2024*
2	*E318594*	*Bhogendra Narain Singh Thakur (Respondent no.5)*	*03C/C/0282*	*Payment made*	*10,13,597.60*	*29.01.2024*
3	*E337255*	*Harish Chandra Srivastava (Respondent no.2)*	*04F/C/7086*	*Payment made*	*12,23,135.45*	*06.05.2025*
4	*E373697*	*Birendra Prasad Ojha (Respondent no. 8)*	*06A/C/2108*	***Payment not made***	*-1,21,392.00 (Recoverable Amount)*	
5	*E376211*	*Mahendra Mishra (Respondent no. 6)*	*03C/C/0285*	*Payment made*	*11,41,356.38*	*06.05.2025*
6	*E444050*	*Janardan Prasad (Respondent no. 10)*	*01C/B/0047*	*Payment made*	*4,72,806.60*	*17.05.2017*
7	*E462979*	*Visheshwar Prasad Sharma (Respondent no.4)*	*05A/B/1064*	*Payment made*	*5,49,593.70*	*24.12.2025*
8	*E608143*	*Shanti Devi (Respondent no.1)*	*04C/C/2008*	*Payment made*	*8.186.33*	*18.10.2024*
9	*E663882*	*Mukul Marki (Respondent no.3)*	*04C/C/1117*	*Payment made*	*5,453.96*	*02.11.2024*
10	*E410358*	*Sachindra Prasad Pandey (Respondent no.9)*	*03B/C/0406*	*Payment made*	*16,63,887.00*	*21.04.2018*
11	*E381731*	*Radha Kant Jha (Respondent no.7)*	*12F/D/2192*	***Payment not made***	***Not vacated***	

5. That it is stated that in view of judgment passed by Hon'ble Supreme Court in the case of The Management of Steel Authority of India Ltd. Vs. Shambhu Prasad Singh and others, Special Leave Petition (Civil) Nos. 025516-025517 of 2024, the appellant company is ready to make payment in the light of said judgement

to the respondent no. 7 Radha Kant Jha after vacation and handing over of quarter by him."

7. Mr Bibhash Sinha, consistent with the statement of Mr Indrajit Sinha referred to in our order dated 29.09.2026, has submitted that the payments made to all respondents, except the 8th respondent, will not be recovered. Insofar as the 8th respondent is concerned, Mr Sinha submitted that an amount of Rs. 1,21,392/- has been paid in excess and therefore this appeal should be allowed, permitting the recovery of this excess amount.

8. Mr Bibhash Sinha further submitted that all the respondents, except 7th respondent, have vacated their official quarters. He submitted that, in these circumstances, the appellants are not required to make any payment to the 7th respondent.

9. Nevertheless, Mr Bibash Sinha submitted that consistent with what is set out in paragraph 5 of the supplementary affidavit filed on 25.09.2026, the appellant Company is ready to make payment to the 7th respondent in terms of the Hon'ble Supreme Court's decision in the case of ***Management of Steel Authority of India Ltd. Vs. Shambhu Prasad Singh and others*** (*supra*) after the 7th respondent vacates and hands over the possession of the official quarter to the appellants.

10. Insofar as, the 7th respondent Radha Kant Jha is concerned, we dispose of the appeal by allowing the appellants to take such steps as are permissible under the law to secure his eviction from the official quarter.

In the case of Radha Kant Jha, i.e., the 7th respondent herein, however, Mr Bibhash Sinha is rightly unwilling to make any concession; therefore, the decision in ***Management of Steel Authority of India Ltd. v. Shambhu Prasad***

Singh and others (*supra*) will apply. To that extent only, the impugned judgment and order of the learned Single Judge will stand modified.

11. From the record, it is evident that out of eleven private respondents, ten respondents have already vacated the official quarters. Nine of such private respondents have already been paid the amount towards their gratuity claims. However, no payment has been made to the 8th respondent on the ground that Rs. 1,21,392/- is recoverable from him.

12. Admittedly, Shri Birendra Prasad Ojha, i.e., the 8th respondent, has already vacated the official quarter. Therefore, his case is similar to that of the remaining nine respondents, who have already been paid their gratuity claims between 2024-2025.

13. On the earlier occasion, a statement was made on behalf of the appellants that the appellants will not insist upon recovery of the alleged excess amount of Rs. 1,21,392/-. Mr Bibhash Sinha also repeated this statement today, pointing out that the appellants were mainly interested in having the legal position clarified. We appreciate this.

14. Accordingly, no recovery should be made from Birendra Prasad Ojha, i.e., the 8th respondent herein.

15. The appeal is disposed of in the above terms and without any order for costs.

16. Pending I.A.s, if any, will not survive and are disposed of.

(M.S. Sonak, C.J.)

(Manoj Prasad, J.)

October 27, 2026
Ranjeet / R.Kr. /
NAFR
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