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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 10601/2021 and CM APPL. 32700/2021**

RINA MOHAPATRA

.....Petitioner

Through: Mr. Philomon Kani Advocate , Ms.
Neha Dobriyal Advocates

versus

MANAGER, ODISHA BHAWAN & ORS.

.....Respondents

Through: Mr. Shashank Bajpai, Advocate

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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08.05.2026

1. The instant petition is for the following reliefs:-

"1. Issue a writ of certiorari, setting aside the letter no 1047/CRC dated 25.03.2021 passed by the Respondent No.1. AND

ii. Issue a writ of certiorari, setting aside the letter no. HOMEPROT- RA-0006-2021 (OSWAS) 16194/Res dated 19.04.2021 passed by the Respondent No.3. AND

iii. Issue a writ of certiorari, setting aside the office order no. 1303/CRC dated 16.06.2021 passed by the Respondent No.2. AND

iv. Issue a writ of certiorari, setting aside the letter no. HOMEPROT- RA-0015-2016/29503/Res dated 19.08.2021 passed by the Respondent No.3. AND

v. Issue a writ of certiorari, setting aside the office order no. 7172/TSM, Bhubaneswar, dated 23.08.2021 passed by the Respondent No.4. AND

vi. Issue a writ of mandamus, directing the Respondent Nos. 1 to 3 to give effect to the decision dated 01.08.2017 of the Additional Chief Secretary, Home Department, Government of Odisha."



2. The petition is for setting aside the communication dated 25.03.2021 issued by the respondent directing the petitioner to pay a sum of Rs. 3,42,450/- towards Additional Room Rent Charges for the period between 23.06.2016 to 20.01.2020 (intermittently), and other consequential communications.

3. As per the case set up by the petitioner, she was appointed as the Deputy Residential Commissioner, Government of Odisha on 16.08.2024. On 11.09.2014, she was allotted a room in Odisha Niwas instead of government residential accommodation. Thereafter, when she sought an additional room, it was first granted to her on temporary basis on 23.06.2016. Thereafter, on 01.08.2017, the Additional Chief Secretary decided to allot an additional room to the petitioner, as and when required at the rate applicable to Government Servant. On 10.08.2017, the Chief Resident Commissioner communicated to the petitioner that the additional room rent would be charged at the rate of Rs. 40 per day.

4. Various submissions have been made by learned counsel for both the parties.

5. Mr. Philomon Kani, learned counsel, who appears for the petitioner, tries to emphasise that the impugned demand is illegal and improper. However, Mr. Shashank Bajpai, learned counsel appearing on behalf of respondent contends that the demand is strictly as per Rule 5 of the Rules for Accommodation in Odisha Bhawan, Orissa Niwas and Utkal Bhavan, 1991 (*'applicable rules'*). He submits that as per the applicable rules, no person shall be entitled for more than one room on concessional rent. Any extra room or bed allotted on request shall be charged at normal rent. The petitioner also claims parity with the case of one Mr. Basant Kumar Hota



Mr. Sai Dutta Biplab Keshari Pradhan, Mr. Sudhanshu Kumar Mohanty. Mr. Bajpai contends that the petitioner cannot claim parity with the aforesaid persons for various reasons.

6. The Court, however, finds that the petitioner presumably stayed and opted for additional room on the basis of communication made by Additional Chief Secretary informing the petitioner that the charge for the additional room would be at the rate of Rs. 40/- per day. It be noted that the petitioner is an Officer under Orissa Administrative Service and she has now been promoted as an IAS officer. The petitioner during the subject period was staying in Orissa Niwas while discharging her duties. Therefore, the respondents are required to bestow a sympathetic consideration, keeping in mind all facts and circumstances.

7. The Court thus, deems it appropriate to dispose of the writ petition with a direction to the respondents to look into the petitioner's grievance and to take appropriate decision.

8. If the grievance of the petitioner is not mitigated, she shall be at liberty to take appropriate recourse in accordance with law.

9. Mr. Bajpai is also directed to sensitise the department to holistically consider the issue and try to put a quietus to the same.

10. With the aforesaid observations and liberty, the instant petition along with the pending application stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

MAY 8, 2026

Nc