
(2014) 04 JH CK 0070
In the Jharkhand High Court
Case No : W.P. (S) No. 3355 of 2011

Girish Prasad Singh

APPELLANT

Vs

Steel Authority of India Ltd.

RESPONDENT

Date of Decision : 16-04-2014

Acts Referred:

Citation : (2014) 3 LLJ 568

Hon'ble Judges : Aparesh Kumar Singh, J

Bench : Single Bench

Advocate : K.K. Singh, Advocate for the Appellant; Ananda Sen, Advocate for the Respondent

Judgement

Aparesh Kumar Singh, J.—Heard counsel for the parties. The present writ application was filed seeking direction upon the respondents Bokaro Steel Limited to pay the gratuity amount of the petitioner after his retirement on 31st May 2010 from the post of Senior Assistant in Accounts Department under the respondents. He has also made a prayer to allow him to retain the official quarter on rental basis after his retirement.

2. It is alleged by the petitioner that the respondents have sought to realize penal rent of Rs. 3,200/- per month after ten month of such retention which was charged @ Rs. 1,800/- per month from the petitioner. According to the petitioner, a notice has been issued upon him on 16th December 2013 directing him to vacate the quarter, failing which coercive steps would be taken.

3. Counsel for the respondent has submitted that the issue in respect of retention of official quarter after retirement, has crossed the attention of the learned Division Bench of this Court in the case of Bokaro Steel Ltd. through General Deputy General Manager Shri Prabha Shankar Dwivedi v. Shri Ram Naresh Singh and Others L.P.A. No. 15 of 2013 in which a judgment has been rendered on 24th January 2014 that such an employee who has retired, does not have a legal right to retain the quarter and the respondent have been held to be

justified in withholding the amount equivalent to that of the gratuity. It is further submitted that the learned Division Bench has set aside the judgment passed by the learned Single Bench directing the respondents to pay the entire gratuity amount to the employee who had retained the official quarter after his retirement. Having heard learned counsel for the parties, and in the facts and circumstances of the case, it is apparent that the petitioner has retained the quarter after his retirement on 31st May 2010 and the respondents have chosen to levy the prescribed rent for such retention thereafter, as would appear from annexure-3 to the writ petition as well. Be that as it may, respondents are entitled to seek eviction of the quarter as the petitioner cannot claim to remain in official quarter after more than three years of his retirement. Therefore, the prayer made in the instant writ petition is also governed by the judgment rendered on the issue by the learned Division Bench of this Court in the case of Bokaro Steel Ltd. through General Deputy General Manager Shri Prabha Shankar Dwivedi v. Shri Ram Naresh Singh and Others (supra). Accordingly, the writ petition is disposed of in terms of the judgment passed by the learned Division Bench of this Court in Bokaro Steel Ltd. through General Deputy General Manager Shri Prabha Shankar Dwivedi v. Shri Ram Naresh Singh and Others (supra) and the respondent would act in terms of the said judgment. The writ petition as well as the instant I.A. stands disposed of.