
(2007) 03 PAT CK 0006
In the Patna High Court
Case No : CWJC No. 9911 of 2002

Jugeshwar Sahni

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 01-03-2007

Acts Referred:

Citation : (2007) PLJR 353

Hon'ble Judges : Barin Ghosh, J

Bench : Single Bench

Advocate : Awadhesh Kr. Singh, for the Appellant; K. Uday Bhanu Roy, for the Respondent

Judgement

Barin Ghosh, J.—Despite service of notice upon the Respondent No. 5, he has chosen not to appear or to contest this application. Government quarters are allotted to government employees. The Government has framed rules for such allotments and for cancellation of such allotments. By Annexure-1 to the Writ Petition, a quarters was allotted to the petitioner. By Annexure-3 to the Writ Petition, such allotment has been cancelled on the ground that an Hon''ble Minister of the State desired that the quarters which was allotted to the petitioner, should be allotted in favour of the Respondent No. 5. It has not been brought in the counter affidavit filed by the State Government that the rules framed for allotment and cancellation of allotment of quarters, the Government has provided that on the desire of an Hon''ble Minister, an order of allotment may be cancelled. In those circumstances, the one and the only conclusion would be that on the reason as given in Annexure-3 to the Writ Petition for cancellation of allotment is not sustainable.

2. Accordingly, Annexure-3 to the Writ Petition as well as the decision to cancel the allotment of the quarters of the petitioner by the said Annexure are quashed.