

WP(C) 6651/2015
BEFORE
HON'BLE MR JUSTICE M.R. PATHAK

Heard Mr. S. Saikia, learned counsel for the petitioner and Ms. M. Bora, learned Additional Senior Government Advocate, Arunachal Pradesh appearing on behalf of the official respondent Nos.1 to 5.

The petitioner is serving as an Assistant Engineer in the PWD, Government of Arunachal Pradesh. While serving under the Capital Division B, PWD, Arunachal Pradesh at Itanagar, the petitioner was allotted Government Quarter No.D-37, Type-III at H Sector, Itanagar. By an order dated 04.03.2015, the petitioner was transferred to Pipsorang PWD Sub-Division under Tali PWD Division and accordingly on 01.07.2015, he was released from Capital Division B, PWD, Itanagar.

As no official accommodation was available at Pipsorang, the petitioner had no place to stay at the said transferred place to live with his family and on his request, the Director of Housing, Government of Arunachal Pradesh vide No.DOH/Accom-18/2002-03 dated 10.08.2015 allowed the petitioner to retain the said Government Quarter No.D-37, Type-III at H Sector, Itanagar for a period of 2(two) months with effect from 01.09.2015 to 30.10.2015, subject to payment of monthly civic charges as per the existing rate. The said order dated 10.08.2015 was communicated on 08.10.2015. In the meanwhile, the Superintending Engineer, Yachuli Civil Circle, PWD, Arunachal Pradesh by his Office Order No.SEYCC/E-1/1/2014-15/1888-93 dated 10.09.2015 allowed the petitioner to look after the charges of Assistant Engineer (Planning)-II, Yachuli Civil Circle, PWD, Arunachal Pradesh camp Naharlagun in addition to his own charges until further order.

The Commissioner of Housing vide his allotment Order No.DOH/Accom/06/2012-13 (Vol-II) dated 21.09.2015 issued on 05.10.2015 allotted the said Government residential quarter No.D-37, Type-III at H Sector, Itanagar to the respondent No.6, Private Secretary to the Speaker of the Legislative Assembly, Government of Arunachal Pradesh and husband of one Smti. S.T. Mossang, D/Man-II, PWD, Arunachal Pradesh.

Being aggrieved with the said allotment order dated 21.09.2015 issued on 05.10.2015, petitioner has preferred this petition.

Petitioner on 07.10.2015 filed a representation before the Commissioner, Urban Development & Housing, Government of Arunachal Pradesh, Itanagar for retention of the said Government Quarter No.D-37, Type-III at H Sector, Itanagar to him, which he is in possession till date. It is submitted that the said representation of the petitioner is yet to be disposed of.

After hearing the learned counsel for the parties and considering the entire aspect of the matter, this writ petition is disposed of directing the respondent No.2, i.e. the Commissioner, Urban Development & Housing, Government of Arunachal Pradesh, Itanagar, to dispose of the aforesaid representation of the petitioner dated 07.10.2015 on or before 30th November, 2015 with a speaking order after giving an opportunity of hearing to him.

Petitioner shall submit a certified copy of this order alongwith a copy of this petition and the annexures appended thereto before the said respondent No.2 on or before 07.11.2015.

Till disposal of the said representation of the petitioner dated 07.10.2015, the writ petitioner shall not be ousted from the aforesaid Government residential quarter No.D-37, Type-III at H Sector, Itanagar, subject to petitioner's submission of the certified copy of this order as directed above on or before 07.11.2015.

With the aforesaid observations, this writ petition stands disposed of.