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(A) CH 859/96


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Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
3	24.12.96	<p>Heard Shri G.K.Mishra, learned counsel for the applicant and Shri Akhaya Mishra, learned Additional Standing Counsel for the Respondents. This Application has come up to-day for vacation of stay. The show-cause filed by the Respondents is pretty exhaustive and covers all the points raised in the Original Application. Learned Additional Standing Counsel Shri Akhaya Mishra also has explained at length the background of the case. As the entire matter is ready for hearing and as the pleadings are complete, this Application is disposed of on merits after hearing the counsel for both sides.</p> <p>The prayer in this Application is that the orders at Annexures-6 and 8 be quashed and the applicant be permitted to continue her occupation in Government Quarter bearing No.II/40, Nayapalli, Bhubaneswar. Annexure-6 is a letter addressed to the applicant on 31st October, 1996 pointing out to her certain actions of alleged non-cooperation in the matter of sharing the accommodation with another lady employee Kumari Madhumita Mohanty. Annexure-8 is a notice to the applicant to vacate the Government accommodation on or before 30.11.1996. In response to Annexure-6, the applicant filed a representation dated 5.11.1996 which is Annexure-7 to this Application denying all the allegations of non-cooperation mentioned at Annexure-6. She stated that she never objected to share</p> <p>...</p>	

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.. 3	24.12.96	<p>the accommodation with Ms. Mohanty. She denied having exerted any political influence. She prayed for a reconsideration.</p> <p>This is a pretty simple matter. The accommodation was allotted by the competent authority to the applicant on 28th November, 1991, vide Annexure-2. She had paid the licence fee as per her averments made in the petition along with electricity charges regularly. She agreed to share accommodation as per condition No. 1 till she eventually became entitled to allotment by her own right. It appears to me that some misunderstanding has arisen on account of lack of proper communication between the applicant and Ms. Madhumita Mohanty. In the facts and circumstances of this case, the applicant is informed that she shall adjust and cooperate with anyother lady employee, who will be ordered to share the accommodation along with her. Respondent No.1, Director, South Eastern Circle, Survey of India, Bhubaneswar, who is the competent and final authority in this regard, shall earmark the portion of accommodation to be occupied by each of the co-sharers by giving one more opportunity. to the The directions of Respondent No.1 in this regard are final and any breach of his directions will render the applicant liable for eviction after giving one month's notice. Respondent 1 shall allot as a co-sharer either to Ms. Madhumita Mohanty or anyother lady</p> <p>...</p>	<p>Free copy of the order dt. 24.12.96 of given to the applicant's counsel.</p> <p><i>[Signature]</i> 2/1/97</p> <p><i>[Signature]</i> 3/1/97</p> <p>Free copy of the order No. 3 dt. 24.12.96 may given to all recipients.</p> <p><i>[Signature]</i> 3/1/97</p> <p><i>[Signature]</i> 3/1/97</p> <p>S-O.</p> <p>Received order dt. 24.12.96 at the office of R-1 & R-2.</p> <p>BANKIM K. Sahoo 3.1.97 Officer Sd/- Survey of India</p>

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..3	24.12.96	<p>employee. Before passing the allotment order, he will hear the applicant about certain practical difficulties faced by her and accordingly earmark the accommodation to both the co-sharers. As mentioned above, any violation of Respondent 1's direction in this regard will render the co-sharers liable for eviction by one month's notice.</p> <p>With this observations this Application is disposed of.</p> <p>Hand over copies of the orders to the counsel for both sides.</p> <p> MEMBER (ADMINISTRATIVE)</p>	