



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11256 of 2025
CNR No. ODHC010283982025

(In the matter of an application under Articles 226 and 227 of the Constitution of India)

Suresh Chandra Parija

....

Petitioner

-versus-

State of Odisha and others

....

Opposite Parties

Advocate(s) appeared in this case:-

For Petitioner : Mr. P.K. Nayak, Advocate

For Opposite Parties : Mr. S.K. Jee, A.G.A.

CORAM: JUSTICE B.P. ROUTRAY

JUDGMENT
17th August 2026

B.P. Routray, J.

1. Heard Mr. P.K. Nayak, learned counsel for the Petitioner and Mr. S.K. Jee, learned Additional Government Advocate for State-Opposite Parties.

2. The Petitioner, who is working as Junior Assistant in Bajra Senha Government High School, Samang, has filed present writ petition challenging the order of the authority dated 02.04.2025 (Annexure-7), whereby his prayer for release of HRA @8% of the basic pay has been rejected.



3. The Petitioner claims that since he is residing in his own house at Ohala, Ward No.7 under Jagatsinghpur Municipality, he should be granted HRA at the enhanced rate.

4. Mr. Nayak, learned counsel for the Petitioner submits that the place of residence where the Petitioner residing at present is coming Jagatsinghpur Municipality and therefore he should be paid the House Rent Allowance @8% of his basic pay instead of 4%. It is further submitted that the Headquarters of the Petitioner is at Jagatsinghpur since the Controlling Officer, i.e. District Education Officer, is at Jagatsinghpur.

5. The State has filed its counter denying the claim of the Petitioner on the ground that the Headquarters of the Petitioner is at Samang, which is a rural area and beyond the Municipality area of Jagatsinghpur, and therefore, he is not entitled for House Rent Allowance @8%.

6. The Government of Odisha in Finance Department vide Office Memorandum dated 14.03.2024 prescribed the criterion for grant of applicable of rate of House Rent Allowance. According to said Office



Memorandum of Finance Department, 16% of basic pay is applicable for Municipal Corporation area, 12% or 8% for District Headquarters/Municipalities as specified in the Memorandum, and 4% in respect of all other areas.

7. Admittedly, the Petitioner is serving as Junior Assistant in Bajra Senha Government High School at village Samang. Samang village does not come within the limits of Jagatsinghpur Municipality. The Petitioner's own house is at village Ohala which comes within the Jagatsinghpur Municipality as per the submission of the Petitioner and it is further submitted by the Petitioner that the distance between Samanga and Ohala is around 6 kms.

8. According to the claim of the Petitioner, since he is residing within the limits of Jagatsinghpur Municipality and the Controlling Officer, i.e. District Education Officer, is within the Municipal area of Jagatsinghpur, he is therefore entitled for HRA @8%.

9. Such submission appears to be misconceived. It is for the reason that the Headquarters of the Government employees is the place where he/she is working and not where his/her Controlling Officer is



situating. Present Petitioner, who is working in the High School at Samang, is supposed to stay at Samang and not at any other place. The house of the Petitioner where he is residing, i.e. village Ohala, cannot be considered as the place of Headquarter in order to determine the rate of applicable House Rent Allowance, though it is a different aspect that whether the Petitioner has been permitted by the authority to stay beyond the limits of his working place.

10. Keeping in view the fact that the School is situating at village Samang, the Headquarter of the Petitioner should be at Samang and at no circumstances it can be considered at any other place other than Samang which is a rural area. Therefore, in view of Finance Department Office Memorandum dated 14.03.2024 (Annexure-1), the applicable rate is 4% for grant of House Rent Allowance in favour of the Petitioner.

11. Thus, no illegality is found in the impugned order and accordingly, the writ petition is dismissed.

(B.P. Routray)
Judge