

CWP No. 20210 of 2015
Date of decision: September 22, 2015

CORAM: HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

HARINDER SINGH SIDHU, J.

By filing the instant writ petition, the petitioner has prayed to quash the order dated 09.01.2015 (Annexure P-8) whereby, her claim for payment of house rent allowance for the period from September, 2009 till May 2014, was rejected.

I have heard learned counsel for the petitioner and gone through the impugned order (Annexure P-8).

In the impugned order, it has been specifically mentioned that on 27.10.2009 the petitioner was allotted staff quarter no.166 consisting of two rooms, toilet and bathroom with electricity and water facilities. The petitioner was duly informed about it. She was to reside in the school premises, but despite that she chose not to reside in the said quarter.

Referring to instructions dated 24.02.1976 issued by the State of Haryana that an employee has to certify that he/she is not being provided the official accommodation and only in that case the employee is entitled for house rent

allowance, the impugned order has been passed. It is stated therein that as the petitioner has been provided a staff quarter, which she chose not to occupy, hence, she is not entitled for house rent allowance.

The petitioner has not disputed the fact that she was allotted the said quarter. However, she states that the said staff quarter was not sufficient to house his family.

Be that as it may, in my opinion there was no ground for the petitioner to claim house rent allowance as she voluntarily chose not to avail the facility of quarter, allotted to her.

Hence , there is no merit in the petition and the same is hereby dismissed in limine.

(Harinder Singh Sidhu)
Judge

22.09.2015
dinesh