

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH AT NAGPUR**

**WRIT PETITION NO.1803/2016**

**Maharashtra Rajya Prathmik Shikshak Sangh Branch Manora, through its Taluka**  
**President Shri Manohar alias Mohan Babarao Kolhe**

**...Versus...**

**State of Maharashtra, through its Secretary, Education Department, Mantralaya,**  
**Mumbai – 32 and others**

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

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Shri P.S. Kshirsagar, Advocate for petitioner  
Mrs. G.R. Tiwari, AGP for respondent nos.1 and 2  
Shri Amol Deshpande, Advocate for respondent nos.3 & 4  
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**CORAM : SMT. VASANTI A NAIK AND**  
**MRS. SWAPNA JOSHI, JJ.**

**DATE : 06.12.2016**

Heard.

By this petition, the petitioner - association seeks a direction against the respondents to release the arrears of house rent allowance in favour of the members of the petitioner - association.

The learned Counsel for the petitioner - association states that the issue involved in this case stands answered in favour of the petitioner by the judgment, dated 19.10.2015 in Writ Petition No.5822/2014. It is stated that the respondents may be directed to pay the arrears of house rent allowance to the members of the petitioner - association, at the earliest.

Mrs. Tiwari, the learned Assistant Government Pleader appearing for the respondent nos.1 and 2 states that though the members of the petitioner - association would be

entitled to house rent allowance, the monetary claim in respect of the arrears of house rent allowance should be restricted for a period of three years, preceding the date of filing of the writ petition. It is stated that this Court, by the judgment, dated 5.12.2015 in a bunch of writ petitions bearing Writ Petition No.1165/2016 and others, has directed the respondents to release the house rent allowance in favour of the petitioners therein only for a period of three years, preceding the date of filing of the respective petitions. It is stated that a similar order could be passed in this writ petition also.

Hence, for the reasons recorded in the judgment, dated 19.10.2015 in Writ Petition No.5822/2014 and the judgment, dated 5.12.2016 in the bunch of writ petitions bearing Writ Petition No.1165/2016 and others, we partly allow this writ petition. It is hereby declared that the members of the petitioner - association would be entitled for house rent allowance for a period of three years, preceding the date of filing of this writ petition. The respondent – Zilla Parishad should submit the bills for the payment of the arrears of house rent allowance to the Deputy Director of Education, within one month. The Deputy Director of Education should release the arrears of house rent allowance in favour of the members of the petitioner - association, within three months. The Zilla Parishad is directed to include the house rent allowance, payable to the members of the petitioner-association, in their monthly salary bills, regularly.

Order accordingly. No costs.

**JUDGE**

**JUDGE**