

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**WRIT PETITION No.15899 of 2001****ORDER**

This Writ Petition is filed seeking to issue a writ of mandamus, declaring the action of the respondent Nos. 1 and 2 in effecting deduction of 10% of the emoluments towards rent in addition to the forfeiture of HRA from the petitioner's salary for B type quarter No.12, Erramanzil colony, Hyderabad without fixing the standard rent by respondents 1 to 3 herein as is fixed in the case of the corresponding I.S. and I.C. quarters as illegal and arbitrary and violative of Article 14 of the Constitution of India and consequently direct the respondents 1 to 3 to fix the standard rents for B-type and C- type quarters and make refund of the amounts already collected over and above the amounts of rents fixed as standard rents for the I.S. and I.C. quarters to the petitioner residing in B type quarter from the date of occupation of the said quarter by the petitioner.

2. Heard Sri M.Rajamalla Reddy, learned Counsel for the petitioner and learned Government Pleader for GAD, appearing for the respondents.

3. It has been submitted by the counsel for the petitioner that the petitioner, while he was working as Assistant Executive Engineer, was allotted quarter No.12 in Erramanzil Colony on 25.07.1992. As he occupied the said quarter, the entire HRA was not paid to him. In addition

to the said deduction of HRA, additional 10% of HRA is being deducted from the salary of the petitioner. Challenging the same, the present Writ Petition is filed.

4. On 02.08.2001, while admitting the Writ Petition, this Court passed an interlocutory order, granting interim direction to the respondents to deduct the HRA on par with the standard rents fixed for the I.S and I.C quarters respectfully, situated at Erramanzil Colony, Hyderabad on 02.08.2001.

5. The learned counsel for the petitioner and the Government Pleader have fairly conceded that the present case is squarely covered by the order in Writ Petition No. 27881/1996, dated 07.12.2009 and pray to pass similar orders in this Writ Petition also.

6. Following the order in Writ Petition No.27881/1996, dated 07.12.2009, this Writ Petition is also disposed of in terms thereof. No order as to costs.

7. The miscellaneous petitions pending, if any, shall stand closed.

8. Registry is directed to enclose a copy of order in Writ Petition No. 27881/1996 dated 07.12.2009 to the present order

ABHINAND KUMAR SHAVILI,J

19th December, 2017

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