

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP-10695-2015 (O&M)
Date of decision: 31.10.2017**

Manjit Kaur

... Petitioner

Vs.

State of Punjab & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Vishal Gupta, Advocate for the petitioner.

Ms. Monica Chhibber Sharma, Sr. DAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

As per pleadings on record, petitioner stands retired from the post of Head Helper from the office of Block Development and Panchayat Officer, Jagraon. She remained posted during her service at Jagraon from 01.01.2001 to 31.07.2009.

Challenge in the instant petition is to the order dated 17.12.2014 (Annexure P-5) passed by the Director, Department of Rural Development and Panchayat, State of Punjab, whereby claim of the petitioner for release of arrears of House Rent Allowance @ 7.5% of the basic pay from 01.01.2001 to 31.07.2009 has been declined.

Counsel for the parties are ad idem that identical claim has already been dealt with by a Coordinate Bench of this Court in **CWP No.5741 of 2012 (Ajmer Singh & others Vs. State of Punjab & others)** decided on 04.04.2013 at Annexure P-3 and the claim was allowed.

The judgment at Annexure P-3 in **Ajmer Singh's case (supra)** has been perused.

Learned State counsel apprises the Court that even LPA No.536 of 2015 preferred by the State of Punjab against the judgment rendered by the writ Court has been dismissed on 09.08.2016 on the ground of delay and also by noticing that the judgment of the learned Single Judge already stood implemented.

Under such circumstances, the present petition is allowed. Impugned order dated 17.12.2014 (Annexure P-5) is set aside.

Petitioner is held entitled to the HRA @ 7.5% of the basic pay w.e.f. 01.01.2001 to 31.07.2009 by treating the town Jagraon as class 'C' City. Arrears be released to the petitioner within a period of three months from the date of receipt of a certified copy of this order.

Petition is allowed.

31.10.2017*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

(i) Whether speaking/reasoned?	Yes/No
(ii) Whether Reportable?	Yes/No