

**CM-5269-LPA-2016 in/and
LPA-2536-2016 (O&M)**

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

**CM-5269-LPA-2016 in/and
LPA-2536-2016 (O&M)
Date of Decision: August 10, 2018**

Vinod Kumar Bhandari

.....Appellant

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.J.S.Rozera, Advocate for the appellant.

Mr.Aayush Arora, Advocate for respondent Nos.2 to 5.

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SURYA KANT, J.(ORAL)

CM-5269-LPA-2016

For the reasons mentioned in the application, the same is allowed and delay of 19 days in filing the present appeal is condoned.

CM stands disposed of.

LPA-2536-2016

The appellant filed the writ petition claiming release of 'House Rent Allowance' (HRA) to the tune of ₹2,13,466/- as well as for the refund of ₹94,571/-, which were deducted from his retiral dues. It may be mentioned that the appellant was working as Assistant Executive Engineer on deputation with Bhakra Beas Management Board (for brevity,'the BBMB').

a sum of ₹1,36,716/- has been released to the appellant. In this manner, part relief stands granted to him. As regard to the left out claim, the plea taken by the appellant is that he was permitted to reside in the private accommodation, whereas BBMB authorities have taken the stand that he was offered Government accommodation, but he declined to accept the same.

[3] Be that as it may, since the appellant was nearing retirement, there might be some justifiable reasons for not shifting to the Government accommodation in April 2010. The matter, thus, requires sympathetic re-consideration by the respondent-authorities. The instant appeal is thus disposed of, modifying the order of the learned Single Judge, with a direction to respondent Nos.2 to 5 to re-consider the claim of the appellant sympathetically for payment of the balance amount of 'HRA' and decide the same afresh by way of a reasoned order within a period of four months from the date of receipt of a certified copy of this order.

**(SURYA KANT)
JUDGE**

August 10, 2018
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**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned ?	Yes/No
2. Whether reportable ?	Yes/No