

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-33577-2019(O&M)
Date of Decision: 24.07.2020

Jaswant Singh

--Petitioner

Versus

State of Haryana & others

--Respondents

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

Present:- Mr. Arav Gupta, Advocate for the petitioner.

Mr. Aman Bahri, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Challenge in the instant petition is to the order dated 4.6.2019 (Annexure P-5) passed by the second respondent i.e. the Deputy Commissioner, Karnal in terms of which request of the petitioner for allotment of rent free accommodation stands declined. Further prayer was for issuance of a Mandamus directing the respondents to allot in his favour suitable rent free accommodation. Further direction prayed for is to reimburse and compensate the petitioner for the rent paid by him till the date of allotment of the rent free accommodation.

Counsel for the parties have been heard.

It is not in dispute that vide order dated 23.8.2018 petitioner was appointed as President of the District Consumer Disputes Redressal Forum, Karnal. Condition no.5 of the appointment order was in the following terms:-

“They will be provided rent free accommodation during their tenure as President in the district of his/her posting.”

Admittedly on account of the petitioner having not been provided a livable accommodation, his hands have been forced to reside in a rented accommodation.

Apparently, petitioner was allotted House No.47-A, Kunjpura Road, Karnal in his capacity of having been appointed as President of the District Consumer Disputes Redressal Forum, Karnal. State in its pleadings conceded that the house in question was not in a livable condition.

An affidavit dated 22.7.2020 of the Additional Chief Secretary and Financial Commissioner to Govt. Haryana (Revenue and Disaster Management Department) has been placed on record and which clearly states that the house in question requires extensive repairs. Accordingly, Engineer-in-Chief, Haryana Public Works (B&R) Department vide letter dated 8.6.2020 sent a rough cost estimate for repair of the said house amounting to Rs.15,67,000/-. The administrative approval pertaining to such amount stands accorded on 6.7.2020.

Learned State counsel states that tenders have been floated and the work with regard to the necessary repairs/renovation of the house in question would be completed at the earliest. State counsel has further furnished an undertaking that the petitioner would also be reimbursed the monthly rent that he has paid out of his own pocket upon furnishing necessary documents/receipts etc. and pertaining to the period for which he had actually occupied the premises in the capacity of a tenant on account of the official accommodation having not been allotted.

In the light of such categoric stand taken on behalf of the State,
the order dated 4.6.2019 (Annexure P-5) loses significance.

No further directions are required to be passed.

Petition is disposed of.

Pending application(s), if any, shall also stand disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

24.07.2020

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No