

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-1843-2018

Date of Decision:-13.02.2020.

Kailash Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR**

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Present: Mr. K.B.S. Mann, Advocate for the petitioner.

Mr. Rajesh Gaur, Additional A.G., Haryana,  
assisted by Mr. Sudhir Malik, J.E, Irrigation Department,  
Haryana.

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**SANJAY KUMAR, J. (Oral)**

The petitioner, an employee of the State of Haryana, was allotted a Government quarter in Canal Colony, Rewari. However, owing to his overstay in the said accommodation, he was visited with Office Order dated 24.07.2017 (Annexure P-15) requiring him to pay penal rent @ 300 times the licence fee ordinarily payable by him. Aggrieved thereby, he approached this Court.

By order dated 30.01.2018, this Court stayed the impugned order subject to deposit of penal rent @ 50 times the normal licence fee. The petitioner was however required to provide bank surety for the remaining amount. This Court is now informed that the issue stands settled by virtue of the earlier decisions rendered in **CWP-3923-2015** dated

16.09.2016 (**Ram Kishan Vs. State of Haryana and others**); CWP-3392-2017 dated 12.05.2017 (**Babu Lal Vs. State of Haryana and others**) and CWP-3397-2017 dated 28.11.2017 (**Inspector Surinder Singh Phogat Vs. State of Haryana and others**). The aforestated decisions held to the effect that the State would only be entitled to levy penal rent @ 50 times the normal licence fee and no more.

The writ petition is accordingly allowed to the extent of confirming the levy of penal rent @ 50 times the licence fee payable by the petitioner for the period of his overstay in the Government accommodation. The surety furnished by the petitioner shall stand discharged in relation to the balance amount demanded from him under the impugned order dated 24.07.2017 (Annexure P-15).

No order as to costs.

(SANJAY KUMAR)  
JUDGE

**February 13, 2020.**

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.