

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

(206)

CWP-478-2016

Date of Decision : September 19, 2023

Ramphal and others**.. Petitioners****Versus****State of Haryana and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Yesh Paul Malik, Advocate and
Ms. Divya Jyoti, Advocate, for the petitioners.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present petition, the petitioners are the one, who are working in the various Government offices situated in the city of Panipat. The grievance raised by the petitioners in the present petition is that keeping in view the population of the City of Panipat, they are entitled for the grant of various benefits including the House Rent Allowance etc. by treating the said City of Panipat as a category Y City.

2. Learned counsel for the petitioners submits that for categorizing City of Panipat as category Z, the census of 2001 has been taken into account whereas after the year 2001, census of 2011 has already come on record, which should have been made the basis for categorizing the City of Panipat for the grant of various benefits including House Rent Allowance, which is not being done.

3. Learned State counsel submits that though it is a matter of fact that the City of Panipat has been categorized for the grant of various benefits including the House Rent Allowance on the basis of census of 2001 but it is also a matter of fact that census of 2011 is already on record and as per the data of 2011 census, city of Panipat need to be treated as category 'Y' city for the grant of benefits to the employees posted in the city of Panipat.

4. Learned State counsel further submits that not only the population of City but the living standard of City is also to be taken into account for deciding the category of a particular city for the grant of various benefits including the House Rent Allowance.

5. I have heard learned counsel for the parties and have gone through the record with their able assistance.

6. Once it is a conceded fact that for the purpose of categorizing a City for the grant of various benefits including the House Rent Allowance, the population of the City as well as living standard is to be taken into account and the population of the City of Panipat has considerably increased since the year 2001 and as per the census of 2011, Panipat City has the minimum population of 5 lacs required for treating it as category 'Y' city, the respondents were under an obligation to grant the said consideration to the claim of the petitioners. Once 2011 census has already been completed, same needs to be taken into consideration for categorizing the city concerned for the grant of benefit of House Rent Allowance etc.

5. Keeping in view the above, the present petition is disposed of with a direction to the respondents to pass appropriate order qua the prayer of the petitioners for treating the City of Panipat as 'Y' category City. The respondents are directed to take into consideration all the relevant facts

including the population as depicted in the census of 2011 as well as standard of living and pass appropriate orders.

6. Let the said order be passed within a period of eight weeks from the receipt of certified copy of this order and in case after the passing of the order, the petitioners are found entitled for any benefit, the same be also extended to the petitioners within a further period of four weeks.

September 19, 2023*harsha***(HARSIMRAN SINGH SETHI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No