

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

137

CWP-20543-2023 (O&M).
Date of Decision: 15.09.2023.

KULWINDER SINGH

.. Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Karanjeet Singh Brar, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present writ petition is for seeking directions to the respondents for grant and release of the admissible House Rent Allowance (HRA)/Rural Area Allowance (RAA) along with the arrears to the petitioner posted in the office of respondent No.3 which is a Government Aided College at par with the other similarly situated persons.

Learned counsel appearing for the petitioner contends that all employees working on aided teaching/non-teaching posts with respondent No.3 since 1994 were being paid due amount of HRA on the basis of Punjab Government instructions issued from time to time. The Government issued a notification in the year 1994 wherein the clarification was issued regarding the classification of the cities and towns. In this Notification dated 26.11.1994, Killianwali was taken out of the D Class Town and was

brought in the category of rural area to which Rural Area Allowance (RAA) was admissible.

It is further averred that the Government of Punjab issued revised notification on 13.01.1998 and that the above said town i.e. Killianwali came under the unclassified category and the employees working therein were categorized for payment of HRA at the rate of 5% of basic pay besides Rural Area Allowance (RAA). He avers that similarly placed staff in Government Colleges and other Departments at Killianwali are getting HRA/RAA at the admissible rates fixed by the Government from time to time. However, the staff of Guru Nanak College, Killianwali, where the petitioner is working is being deprived of the said allowance.

Learned counsel for the petitioner contends that similarly placed employees had preferred CWP No.9945 of 2011 before this Court which was decided vide order dated 10.10.2012. In furtherance to the successful proceedings and the subsequent developments, the benefits have already been released to them. However, the said benefit has not been released to the petitioner although he is similarly situated. He contends that the petitioner has already submitted a legal notice dated 18.05.2023 (Annexure P-11) with the respondents and he would be satisfied, at this juncture, in case a decision is taken thereupon by the respondents within a time frame and as per law.

Notice of motion.

Mr. Saurav Verma, Addl. A.G., Punjab, accepts notice on behalf of the respondents and he has no objection to the aforesaid prayer being granted.

Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of and the respondent No.3 is directed to take note of the legal notice dated 18.05.2023 (Annexure P-11) sent by the petitioner and to pass a reasoned and speaking order thereupon in accordance with law and preferably within a period of three months from the date of receipt of certified copy of this order after affording an opportunity of hearing to the respective parties.

Petition stands disposed of accordingly.

September 15, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No