

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

2024:PHHC:141821



CWP No. 9896 of 2019(O&M)

Date of Decision: 29.10.2024

Sunil Kumar and others

....Petitioners

VS.

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Amit Kaith, Advocate
for the petitioners

Mr. Jaivir Singh, Advocate for
Mr. Ashish Rawal, Advocate
for respondent No. 1

Mr. Suman Jain, Advocate
for respondent No. 3

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking direction to respondents to release 5% of House Rent Allowance (in short "HRA") in lieu of free water supply.

2. The petitioners are working with respondent-Municipal Corporation, Chandigarh (in short "Corporation"). Few of them are not staying in rent free accommodation. Corporation is supplying free water to those employees who are staying in rent free accommodation. The petitioners are paid HRA in lieu of rent free accommodation. The Corporation has decided to pay 5% HRA to those employees who are not



having rent free accommodation because they are liable to pay water charges while staying in private accommodation.

3. Mr. Suman Jain, Advocate submits that vide order dated 29.07.2019 it was decided that employees who are provided rent free accommodation would be exempted from payment of water charges w.e.f. 01.04.2015. The said order has not been recalled, thus, all the employees who are staying in rent free accommodation are not liable to pay water charges. The employees who are not staying in official/rent free accommodation are getting 5% of HRA towards water charges meaning thereby they are entitled to 5% of HRA in lieu of free water supply which is available to employees staying in official/rent free accommodation.

4. Mr. Amit Kaith, Advocate submits that petition may be disposed of in the light of statement of Mr. Suman Jain, Advocate. He further submits that employees staying in private accommodation would pay water charges irrespective of payment received by them from Corporation in lieu of free water supply.

5. In the wake of statement of both sides, the petition stands disposed of.

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

(JAGMOHAN BANSAL)
JUDGE

29.10.2024
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No