

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

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**2024:PHHC:055241
CWP No.5358 of 2016
Date of Decision:24.04.2024**

Gurdarshan Singh SDO

....Petitioner

VS.

BBMB and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Ranjit Saini, Advocate
for the petitioner

Mr. Sachin Mittal, Advocate,
Mr. Akshat Mittal, Advocate and
Mr. Parth Sharma, Advocate
for the respondents

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent to pay House Rent Allowance (in short "HRA") for the period from 20.07.2010 to 31.10.2014.
2. The petitioner during 2010-2014 was posted at Kotla. Official accommodation was available at the said place, however, he opted to stay at his own house and claimed HRA. The respondent-Board did not pay HRA because it was of the opinion that in the wake of availability of official accommodation, an employee cannot claim HRA. The respondent-Board

was further of the opinion that Kotla is a sensitive place, thus, senior officials/officers are bound to stay in official accommodation to thwart any eventuality or tackle with emergent situation.

3. Mr. Ranjit Saini, Advocate, submits that there is no circular/clarification from Respondent-Board which provides that an employee is bound to stay in official accommodation, if it is available. Further, there is no letter/circular which requires stay in official accommodation at Kotla. Without considering different instructions and despite repeated communications by the petitioner, no order has been passed.

4. Faced with this, Mr. Sachin Mittal, Advocate, submits that it is factually correct that no order on the representations of the petitioner has been passed. He assures the Court that competent authority would look into grievance of the petitioner and pass an appropriate order within three months from today.

5. In the wake of statement of counsel for Respondent-Board, the petition stands disposed of. The competent authority shall take care of instructions issued by the Respondent-Board while adjudicating case of the petitioner.

(JAGMOHAN BANSAL)
JUDGE

24.04.2024
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No