
(2018) 05 UK CK 0103

In the Uttarakhand High Court

Case No : Writ Petition No. 1355 (SS) of 2017

RAJNEESH NEGI AND OTHERS

APPELLANT

Vs

STATE OF UTTARAKHAND AND OTHERS

RESPONDENT

Date of Decision : 23-05-2018

Acts Referred:

Citation : (2018) 05 UK CK 0103

Hon'ble Judges : ALOK SINGH, J

Bench : Single Bench

Advocate : Vinay Kumar, V.D. Bisen

Final Decision : Allowed

Judgement

1. Petitioners are working as Constable and are residing in Barracks. Respondent Department is not making payment of House Rent Allowance

(HRA) to the petitioners on the pretext that they are residing in Barrack, which is a Government accommodation.Â

2. Barrack does not fall within the definition of House, consequently, they are entitled for HRA. The same controversy has already been settled by the

Coordinate Bench of this Court in WPSS No. 1034 of 2014 vide order dated 07.01.2015 and in WPSS No. 306 of 2016 vide order dated 18.02.2016.

The Coordinate Bench vide order dated 18.02.2016 has held as under:

â??Vide G.O. dated 14.10.2015, Mr. Vinod Sharma,Â Secretary (Home), Uttarakhand Government, has made it clear to the Director General of

Police, Uttarakhand to make compliance of the High Courtâ??s order, passed in WPSS No.1034 of 2014, â??Bijendra Singh Vs. State.â??Â

Â It is hereby made clear that every constable need not to file a separate petition for the same relief, when the same has been answered up to the

Hon. Apex Court and Uttarakhand Government's SLP has been dismissed in this regard.

3. Since this controversy is no more res integra, therefore, present petition is allowed. Respondents are directed to pay HRA to the petitioners, from

the date it is due to them, within eight weeks from the date of production of certified copy of this order. No order as to costs.