

**GOVERNMENT OF WEST BENGAL
FINANCE (AUDIT) DEPARTMENT
LAW CELL**

No. 453-F (Law)

Dated, the 21st May, 1998.

Subject: C.R. NO. 11360 (W)/90

***Rabindranath Sengupta & Ors.
Vs.
State of West Bengal.***

In inviting references to this Department's Memo Nos. 10174-F, dt. 29.10.90, 5673-F, dt. 14.5.93 and 7258-F, dated 13.8.97, the undersigned is directed to say that in a review application being Civil Appeal No. 1834 of 1998 filed before the Hon'ble Supreme Court regarding State of West Bengal-Vs-Rabindranath Sengupta & Ors. in connection with the drawal of House Rent Allowance of Government employees residing in Government Housing Estate, the Hon'ble Supreme Court delivered the judgment on 31.3.98 in allowing the appeal preferred by the State of West Bengal, setting aside the decision of the Division Bench and upholding the decision of the Single Bench of the High Court at Calcutta with a direction not to recover the excess amount of House Rent Allowance already paid to the writ petitioners residing in Government accommodation under the Rented Housing Scheme.

The undersigned is accordingly directed by order of the Governor to say that the writ petitioners in the aforesaid C. R. will draw house rent allowance with effect from 1.4.98 at the rate as prescribed in para 8 of R.O.P.A. Rules 1990 read with G.O. No. 2936-F, dated 31.3.90. The Governor has further been pleased to say that the amount of House Rent allowance already paid in excess of admissibility upto 31.3.98 need not, however, be recovered.

Sd/- Sankar Ganguli

Assistant Secretary to the
Government of West Bengal.