

\$~1, 2, 6, 21 & 23

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P. (C) 6360/2015, CM APPL.11570-11571/2015

SHINIL KUMAR Petitioner

versus

UNION OF INDIA & ANR Respondents

W.P. (C) 6361/2015, CM APPL.11572-11573/2015

GEETA BAGHEL Petitioner

versus

UNION OF INDIA AND ANR. Respondents

W.P. (C) 6470/2015, CM APPL.11762/2015

PERMOD KUMAR Petitioner

versus

UNION OF INDIA & ORS Respondents

W.P. (C) 6503/2015, CM APPL.11842-11843/2015

JOGENDER BAGHEL Petitioner

versus

UNION OF INDIA & ORS Respondent

W.P.(C) 6515/2015, CM APPL.11865/2015

MANISH RATHI Petitioner

versus

UNION OF INDIA & ANR Respondents

Appearance: Dr. Vijendra Mahndiyani with Ms. Pallvi Awasthi,
Advocates for petitioners in all matters.

Mr. Sanjeev Uniyal with Mr. Arnav Kumar, Advocates for
respondents in item nos.1, 2 & 23.

Mr. Santosh Kohli, Advocate for R-1-3 in item no.21.

Mr. Ajay Diggapaul, Advocate for UOI in item no.6.

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CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER
10.07.2015

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All the petitioners are the employees of the Central Industrial Security Force ("CISF"). Their claim in these proceedings is for release of House Rent Allowance (HRA) benefits which according to them they are legitimately entitled to. The respondent CISF's position had been that since the petitioners were provided barrack accommodation but were later permitted to leave such premises, they are disentitled to HRA.

At the outset it is pointed out that identical issues have been dealt with by previous orders of the Court. The latest in the series of orders is W.P.(C)5407/2015 and connected cases decided on 27.05.2015. The Court had then held – placing reliance upon the previous rulings – and the judgments of the Supreme Court in *Union of India v. Dineshan K.K.*, 2008 (1) SCC 586, *Director, Central Plantation Crop Research Institute v. M. Purushothaman & Ors.*, 1995 Suppl. (4) SCC 633, and after considering Rule 61 (3) of the CISF Rules held that the petitioners were justified in claiming HRA benefits.

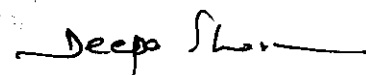
Having regard to the above position which has not been disputed by the respondents, a direction is issued to the respondents that for the period or periods, the petitioners were granted outdoor residence permission, they would be entitled to HRA, if no official

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accommodation were made available. While making payment of HRA, the compensation paid under Rule 61 (3) shall be appropriately adjusted. Payment shall be made within three months from today. The affidavit duly indicating the compliance shall be filed at the end of the three months' period and the matter shall be listed for oversight in that regard on 3rd November, 2015.

The writ petitions are allowed in the above terms. All the pending applications are also disposed off.


S. RAVINDRA BHAT, J


DEEPA SHARMA, J

JULY 10, 2015
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