

\$~4,5,6,7,19,20,21,25,28,29

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

W.P.(C) 11656/2015 & CM Nos. 30955-30956/2015

NARAYAN SINGH

..... Petitioner

Through: Dr. Vijendra Mahnidyan, Advocate  
alongwith Ms. Pallavi Awasthi and  
Mr. Mukul Kumar, Advocates.

versus

UNION OF INDIA & ANR

..... Respondents

Through: Ms. Monika Arora, Advocate  
alongwith Mr. Harsh Ahuja,  
Advocate.

And

W.P.(C) 11657/2015 & CM Nos. 30957-30958/2015

REETISH RAWAT

..... Petitioner

Through: Dr. Vijendra Mahnidyan, Advocate  
alongwith Ms. Pallavi Awasthi and  
Mr. Mukul Kumar, Advocates.

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Ms. Monika Arora, Advocate  
alongwith Mr. Harsh Ahuja,  
Advocate.

And

+ W.P.(C) 11658/2015 & CM Nos. 30959-30960/2015

AMARJEET KUMAR

..... Petitioner

Through: Dr. Vijendra Mahnidyan, Advocate  
alongwith Ms. Pallavi Awasthi and  
Mr. Mukul Kumar, Advocates.

versus

UNION OF INDIA & ANR

..... Respondents

Through: Ms. Monika Arora, Advocate  
alongwith Mr. Harsh Ahuja,  
Advocate.

And

W.P.(C) 11659/2015 & CM Nos. 30961/2015

MAHIPAT SINGH ..... Petitioner

Through: Dr. Vijendra Mahnidyan, Advocate  
alongwith Ms. Pallavi Awasthi and  
Mr. Mukul Kumar, Advocates.

versus

UNION OF INDIA & ANR ..... Respondents

Through: Ms. Monika Arora, Advocate  
alongwith Mr. Harsh Ahuja,  
Advocate.

And

W.P.(C) 11714/2015 & CM Nos. 31158-31159/2015

AJIT KUMAR ..... Petitioner

Through: Dr. Vijendra Mahnidyan, Advocate  
alongwith Ms. Pallavi Awasthi and  
Mr. Mukul Kumar, Advocates.

versus

UNION OF INDIA & ORS ..... Respondents

Through: Mr. R.V. Sinha, Advocate.

And

W.P.(C) 11718/2015 & CM No. 31210/2015

ARUN KUMAR AHLAWAT ..... Petitioner

Through: Dr. Vijendra Mahnidyan, Advocate  
alongwith Ms. Pallavi Awasthi and  
Mr. Mukul Kumar, Advocates.

versus

UNION OF INDIA & ANR ..... Respondents  
Through: Mr. R.V. Sinha, Advocate.

And

W.P.(C) 11720/2015 & CM Nos. 31226-31227/2015

RAVI BHASKAR ..... Petitioner  
Through: appearance not given.  
versus

UOI AND ORS ..... Respondents  
Through: Mr. Anil Soni, Advocate alongwith  
Mr. Akash Vajpai, Advocate.

And

W.P.(C) 11733/2015 & CM Nos. 31251-31252/2015

GURNAM SINGH MAAN ..... Petitioner  
Through: Dr. Vijendra Mahnidyan, Advocate  
alongwith Ms. Pallavi Awasthi and  
Mr. Mukul Kumar, Advocates.  
versus

UNION OF INDIA & ANR ..... Respondents  
Through: Mr. R.V. Sinha, Advocate.

And

W.P.(C) 11740/2015 & CM No.31260/2015

SHATRUGHAN DAYAL SINGH ..... Petitioner  
Through: Dr. Vijendra Mahnidyan, Advocate  
alongwith Ms. Pallavi Awasthi and  
Mr. Mukul Kumar, Advocates.  
versus

UNION OF INDIA & ANR ..... Respondents

Through: Mr. R.V. Sinha, Advocate.

And

W.P.(C) 11748/2015 & CM Nos. 31266-31267/2015

ASGAR ALI BHATTI

..... Petitioner

Through: Dr. Vijendra Mahnidyan, Advocate  
alongwith Ms. Pallavi Awasthi and  
Mr. Mukul Kumar, Advocates.

versus

UNION OF INDIA & ANR

..... Respondents

Through: Ms. Monika Arora, Advocate  
alongwith Mr. Harsh Ahuja,  
Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE S. RAVINDRA BHAT**

**HON'BLE MS. JUSTICE DEEPA SHARMA**

**ORDER**  
**18.12.2015**

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Issue notice. Notices accepted on behalf of the respondents.

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 has 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, 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 accommodation were made available. While making payment of HRA, the compensation paid under Rule 61 (3) shall be appropriately adjusted. Entire process shall be completed within eight weeks.

In order to prevent such cases for release of HRA from coming to this Court needlessly, we direct that:

- (1) The Director General, CISF shall ensure that benefits identical to those claimed in these petitions are made available to all eligible employees. A Circular to this effect shall be issued indicating the appropriate format for application by the aggrieved employees. Such Circular will be issued within two weeks, and a copy shall be filed in this Court for record purposes, supported by an affidavit.
- (2) Applications received under the Circular shall be processed in a time-bound manner, at the latest within four weeks from the date of such application.
- (3) In case the court encounters any similar claims for release of HRA

after 12 weeks from today, the DG, CISF may be summoned to attend the court proceedings.

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

Order *dasti*.

**S. RAVINDRA BHAT, J**

**DEEPA SHARMA, J**

**DECEMBER 18, 2015**

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