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

+ **W.P.(C) 272/2016**

MAHAVEER SINGH Petitioner

Through: Ms. Pallavi Awasthi, Advocate

versus

UNION OF INDIA AND ANR Respondents

Through: Ms. Shiva Lakshmi, CGSC with
Mr. Udit Grover, for
respondents-UOI & CISF

And

Tagged W.P.(C). 312/2016

GYANENDRA KUMAR Petitioner

Through: Ms. Pallavi Awasthi, Advocate

versus

UNION OF INDIA AND ANR Respondents

Through: Mr. Arun Bhardwaj, CGSC

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **22.02.2016**

1. The present petitions have been placed before the Court for ensuring that the respondents-Ministry of Home Affairs and Ministry of Finance and CISF have made compliances of the order dated 21st August, 2015, passed by the predecessor Bench in a batch of matters, lead matter being W.P.(C) 7920/2015 and W.P.(C). 7927/2015, wherein the relief with regard to release of HRA was granted to the petitioners and it was directed that other aggrieved

parties, who are similarly placed, should not require to approach the Court for the same relief.

2. Today, learned counsel for the respondents states that two separate affidavits have been filed, one by the Ministry of Home Affairs and other by the Ministry of Finance. While the affidavit of the Ministry of Finance is on record, the affidavit of the Ministry of Home Affairs not on record.

3. Learned counsel for the respondents hands over a copy of the same. A perusal of the said affidavit reveals that the Ministry of Law and Justice has advised the Department to implement the judgment dated 21st August, 2015 and the order dated 18th December, 2015, passed in W.P.(C).11658/2015, and the Ministry of Finance, had given its consent to implement and extend the second part of the judgment dated 21st August, 2015. As a result, the Ministry of Home Affairs has directed CISF vide order dated 28th January, 2016, to implement the second part of the judgment dated 21st August, 2015 and issue a Circular so that identically situated personnel may be granted the benefit of HRA.

4. Learned counsel for the respondent-CISF states that he has also filed an affidavit of compliance in W.P.(C). 272/2016. Enclosed with the said affidavit is a copy of Circular No.1/2016 dated 1st

February, 2016, issued by the Director General, CISF stating *inter alia* that where permission for outliving has been granted without HRA, it shall be incumbent upon the Unit to pay HRA to all such personnel. Enclosed with the said Circular is the format of the Form required to be filled up by the concerned personnel.

5. Learned counsel for the respondent-CISF states that an order dated 5th February, 2016 has been issued whereunder HRA has been sanctioned in respect of 21 CISF personnel in terms of the judgment dated 21st August, 2015.

6. While taking on record the aforesaid affidavits, the present petitions are disposed of.

HIMA KOHLI, J

SUNIL GAUR, J

FEBRUARY 22, 2016

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