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

+ W.P.(C) 958/2016

MANJU THAKUR

..... Petitioner

Through: Ms. Sheeba Khan & Mohd.
Asad Khan, Advocates

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Rajesh Kumar & Mr. Atul
Krishna, Advocates with Mr.
S.S. Sejwal, Law Officer, CRPF
&
Mr. B.K. Rout, Pairvi Director

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

24.02.2016

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1. The present petition has been filed by the petitioner praying *inter alia* that the respondent No.2-CISF be directed to pay her House Rent Allowance (*in short* 'HRA') and Transport Allowance (*in short* 'TA') and other consequential benefits during the period between 23rd March, 2012 to 16th August, 2012 and 21st February, 2013 to 16th October, 2013, at the rates applicable in New Delhi.

2. Learned counsel for the petitioner states that the petitioner had joined the CRPF as an Assistant Sub Inspector (M) on 30th June, 1991 and she was attached to the Pay and Accounts Office, Mahavir Nagar,

New Delhi from 3rd September, 2011 to 16th August, 2012. During this period, the petitioner was residing outside the CRPF Campus, as the Pay and Accounts Office did not have any residential accommodation. Thereafter, the petitioner was relieved on the directions of the DIG, Group Centre, CRPF, Rampur (Uttar Pradesh) vide order dated 14th August, 2012 and was granted out living permission vide order dated 12th March, 2013. The petitioner was yet again transferred to Group Centre, CRPF, Gurgaon vide order dated 28th August, 2014 but all on paper, instead of being relieved in person.

3. It is stated that till date, the petitioner remains attached at the Welfare Branch, Directorate General, CRPF, CGO Complex, Lodhi Road, New Delhi while her parent place of posting is at Group Centre, CRPF, Gurgaon. The grievance of the petitioner is that despite being relieved on paper, she was neither given the transfer benefit, nor has HRA or TA for the period 23rd March, 2012 to 16th August, 2012 and from 21st February, 2013 to 16th October, 2013 been paid to her.

4. It has been inquired from the learned counsel for the petitioner as to whether the petitioner had raised any grievance before the competent authority before approaching this Court for relief.

5. Learned counsel for the petitioner replies that a representation dated 17th March, 2015 was submitted by the petitioner to the DIG, Group Centre, CRPF, Rampur, Uttar Pradesh but the same has not been responded to and this has compelled her to file the present petition. However, the said representation has not been filed.

6. A copy of the representation dated 17th March, 2015 has been

handed over to learned counsel for the respondents and taken on record.

7. Learned counsel for the respondents, who appears on advance notice, concedes that the facts of this case are covered by a judgment dated 2nd February, 2010 passed in W.P.(C) 7582/2009, entitled Jayasankar M.N. Vs. UOI & ors. which petition was allowed in terms of two earlier decisions dated 15th May, 1995 in W.P.(C) 308/1994 and dated 26th October, 2003 in W.P.(C) 7391/2001. He assures the court that the pending representation of the petitioner shall be considered and decided in the light of the judgment dated 2nd February, 2010 in W.P.(C) 7582/2009, within four weeks, under written intimation to her and after making necessary calculations, the amounts payable towards HRA and TA shall be released in favour of the petitioner within six weeks, if not already paid.

8. The petition is disposed of.

9. A copy of this order be given *dasti* to counsel for the respondents for compliance.

HIMA KOHLI, J

SUNIL GAUR, J

FEBRUARY 24, 2016

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