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

+ W.P.(C) 1302/2016 & C.M. 5748/2016

PONNEKANTI VIJAYA Petitioner

Through: Mr. Seema Sharma and Mr.
Yashvir Gahlot, Advocates

versus

UNION OF INDIA & ANR Respondents

Through: Ms. Barkha Babbar, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **22.02.2016**

1. The present petition has been filed by the petitioner praying *inter alia* for issuance of a writ of mandamus to the respondents, particularly the CISF, to pay him the arrears of House Rent Allowance (for short HRA) in lieu of family accommodation from 6th June, 2013 to 30th April, 2015, as specified in para No.10 of the present petition. However, the representation dated 29th November, 2015, enclosed with the present petition and marked as Annexure P-5, mentions that the arrears of HRA claimed by the petitioner are from February, 2013 to April, 2015.

2. Learned counsel for the petitioner submits that the present

case is squarely covered by the earlier judgments rendered on issue of release of HRA and the most recent one is dated 21st January, 2016, pronounced in a batch of matters, lead matter registered as W.P.(C) No. 373/16, entitled "Yash Pal v Union of India and Another". She also clarifies that the petitioner has been receiving HRA from the respondent-CISF w.e.f. May, 2015 and only the arrears of HRA are payable.

3. Ms. Barkha Babbar, learned counsel for the respondents, states that upon receiving directions from the Ministry of Home Affairs, CISF has recently issued Circular No.1/2016, dated 1st February, 2016, directing release of HRA where permission for outliving has been granted without HRA.

4. In view of the fact that Circular No.1/2016 has clarified the position with regard to outliving permission without HRA, the respondent-CISF is directed to ensure that the arrears of HRA payable to the petitioner are released for the outstanding period w.e.f. February, 2013 to April, 2015 within a period of six weeks from today.

5. If the amount is not released within the timeline noted above, then the respondent shall be liable to pay simple interest @ 8% per annum on the arrears of HRA payable to the petitioner, after expiry

of six weeks, till the date of payment.

6. The present petition is disposed of along with the pending application.

HIMA KOHLI, J

SUNIL GAUR, J

FEBRUARY 22, 2016

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