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

+ W.P.(C) 1717/2016

RAKESH KUMAR

..... Petitioner

Through: Ms. Seema Sharma & Mr. Prashant
Kumar, Advocates

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Vikram Jetley, CGSC, with
Mr. Ganishi Baloni, Asstt. Comdt.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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29.02.2016

C.Ms. 7390-91/2016 (for exemption)

Allowed subject to all just exceptions.

W.P.(C) 1717/2016 & C.M. 7389/2016 (for stay)

1. The present petition has been filed by the petitioner praying *inter alia* for directions to the respondent No.1-Union of India and the respondent No.2-CISF to pay him the arrears of House Rent Allowance (HRA) with effect from the date of granting him out living permission, till date.
2. Though two other prayers have been made in the present petition, learned counsel for the petitioner submits at the outset that after the

present petition was filed, the petitioner has received orders from the respondents granting him permission for outliving with HRA and therefore, he does not wish to press the said prayers and seeks to confine the prayer in respect of relief no.1.

3. Learned counsel for the respondents states that pursuant to the several decisions passed on the aforesaid aspect by the High Court, the last one being the judgment dated 21st January, 2016 passed in a batch of matters, lead matter being W.P.(C).373/2016, the respondents have issued Circular No.1/2016 dated 1st February, 2016, enclosing therewith a *pro forma* required to be submitted by the incumbent personnel for permission for out living with HRA. He hands over a copy of the aforesaid Circular along with the *pro forma*, which is taken on record.

4. The petitioner is directed to apply to the respondents in the prescribed form for grant of arrears of HRA, for the requisite period. As and when the petitioner submits the Form, the same shall be processed in accordance with law and the arrears of HRA shall be calculated and released in favour of the petitioner within six weeks thereafter.

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

HIMA KOHLI, J

SUNIL GAUR, J

FEBRUARY 29, 2016

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