

\$~7

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

+ **W.P.(C) 7654/2016, CM No. 31506/2016 & CM No. 35983/2018**

S K VASHISHT

..... Petitioner

Through: Mr. Pardeep Dahiya, Advocate with
Ms. Priya Agarwal, Advocate.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. Rajesh Kumar, Advocate with
Mr. Brijesh Kumar, Advocate.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

%

23.10.2018

CM No. 40476/2018

1. For the reasons stated in the application, the delay in filing the short affidavit is condoned. The application is disposed of. The short affidavit filed along with the application be taken on record.

W.P.(C) 7654/2016

2. The counsel for the parties have been heard. Admittedly between 2010 and 2016 the Petitioner was posted in Jammu & Kashmir, and Left Wing Extremism areas till July 2016. In terms of Rule 25 of the CRPF Accommodation Rules the period of retention of five years will begin from the date of return of the Petitioner from such posting. The subsequent clarification issued by the Government of India do not make a change to this position.

3. Annexure 'R-1' to the counter affidavit is the decision dated 20th April 2018 of the Respondents which *inter alia* states that "as regards allotment of alternate accommodation in Delhi as per para-19 of Court orders dated 19.07.2016 is concerned, it is also added that necessary family accommodations are available in Delhi/NCR (except Dwarka quarters)" and that the Petitioner 'can wish to apply for the same'.

4. Learned counsel for the Petitioner states that if he is allotted the alternate family accommodation anywhere in Delhi/NCR, he will not insist on retaining the present quarters in Dwarka.

5. In that view of the matter, the Respondents are directed to proceed to allot to the Petitioner an alternative family accommodation anywhere in Delhi/NCR, where it is stated to be available. An order to this effect be passed not later than 30th November 2018 and communicated to the Petitioner not later than 7th December 2018. If the petitioner is so communicated the decision, he will vacate the present quarters under his occupation and move into the quarters allotted to him not later than 31st January 2019.

6. The petition and all applications stand disposed of in the above terms.

S.MURALIDHAR, J

SANJEEV NARULA, J

OCTOBER 23, 2018/sapna