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

+ **W.P.(C) 5026/2018 & CM No. 19379/2018**

RAJENDER SINGH YADAV AND ORS. Petitioner

Through: Ms. Saahila Lamba, Advocate with
Mr. T.S. Dagar, Advocate.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Ashok Singh, Advocate.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE SANJEEV NARULA

% **ORDER**
23.01.2019

1. The Petitioner who is a group 'C' employee has prayed for a direction to the Respondents not to recover any amount from the salary of the Petitioner on account of Transport Allowance and refund the amount already recovered.

2. The Court finds that the case of the Petitioner is fully covered in Para 18 (i) of decision of the Supreme Court in ***State of Punjab v. Rafiq Masih (White Washer) (2015) 4 SCC 334.***

3. In that view of the matter, the petition is allowed and the direction is issued to the Respondents not to recover any amount from the salary of the Petitioner on account of Transport Allowance and further to refund, within a

period of four weeks, the amount already recovered from the salary of the Petitioner on account of Transport Allowance.

4. If the Respondent fails to make refund of the arrears within the period as directed, it will entail the payment of simple interest at 6% p.a. on the amount of arrears till the date of payment.

5. The petition and the pending application are disposed of in the above terms.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 23, 2019

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