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

+ **W.P.(C) 12921/2024**

KAMAL KISHORE AND ORS

.....Petitioners

Through: Mr. Joby P. Varghese and Aby P.
Varghese, Advs.

versus

SASHASTRA SEEMA BAL AND ANR

.....Respondents

Through: Mr. Sushil Raaja, SPC with Mr.
Kamaldeep, Adv.
Mr. Janak Raj, Insp. SSB.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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13.09.2024

CM APPL. 53833/2024 –Ex.

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 12921/2024 & CM APPL. 53834/2024 –Int. dir.

3. The petitioners, who are working in the Sashastra Seema Bal (SSB), have approached this Court seeking a direction to the respondents to grant them “Patient Care Allowance” (PCA) and release all arrears in respect thereof within a time bound manner.
4. Upon notice being issued, a counter affidavit has been filed by the respondents, wherein it has been categorically stated that the respondents are obliged to release the PCA in favour of those members of the paramedical



cadre/doctor who fulfill the conditions as laid down in the circular dated 04.02.2004 issued by the Ministry of Health & Family Welfare.

5. Learned counsel for the petitioners does not deny that PCA would be payable to the petitioners only subject to their fulfilling the conditions prescribed in the aforesaid circular dated 04.02.2004.

6. In the light of the aforesaid stand taken by the parties, we dispose of the writ petition alongwith the pending application by directing the respondents to examine the case of the petitioners for grant of PCA in terms of the eligibility criteria set out in the circular dated 04.02.2004 within a period of four weeks from today and in case, they are found eligible for the same, they will be paid PCA on a month to month basis and the upto date arrears will be paid to them within a period of twelve weeks thereafter. In case, the payment is not made within sixteen weeks in terms of this order, the same would be payable with interest @ 9% p.a.

7. Further taking into account that the respondents are being directed to consider the claim of the petitioner for grant of PCS, we direct that till a final decision is taken by the respondents, in terms of this order and for a period of four weeks thereafter, no recoveries in terms of the order dated 29.02.2024 will be made.

REKHA PALLI, J

SACHIN DATTA, J

SEPTEMBER 13, 2024
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