



2024:DHC:8150-DB



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

Date of decision: 22.10.2024

+ W.P.(C) 14815/2024
GIRISH CHANDRA JOSHIPetitioner
Through: Counsel (appearance not given)
versus
UNION OF INDIA AND ORSRespondents
Through: Mr.Amit Gupta, SPC, Mr.Vidur
Dwivedi, GP with AC Raj
Kumar, SI Prahlad, SI Amit
Kumar-CISF.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (Oral)

CM APPL. 62264/2024 (Exemption)

1. Allowed, subject to all just exceptions.

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2. This petition has been filed by the petitioner praying for the following reliefs:

*“a) Pass a writ of mandamus directing the respondent to grant additional 5 % HRA from January 2022 to 30.6.2024, to the petitioner as he had been given less than 5% HRA by treating him as a barrack member.
b) Direct the respondents to pay entire arrears along with 18% interest from the date it become due and payable.
c) To direct the respondent to pay costs of this litigation.”*

3. The petitioner in support of his claim, has placed reliance on the



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Judgment dated 08.02.2024 passed by the Supreme Court in Civil Appeal No.4967/2023 titled ***Union of India & Ors. vs. Paramasivan M.***

4. The learned counsel for the respondents, who appears on advance notice, submits that the petitioner was offered a family accommodation on 28.11.2023, however, the petitioner had not applied for the same. The petitioner has also now superannuated. He submits that the respondents have also filed an application seeking review of the Judgment dated 08.02.2024 passed by the Supreme Court.

5. We are of the opinion that the present petition should be considered as a representation of the petitioner and must be decided upon by the respondents within a period of eight weeks from today. In case the petitioner is held entitled to the arrears of HRA, the same should be paid to him within a period of twelve weeks from today. In case the prayer of the petitioner is rejected, either partially or fully, the reasons thereof shall be supplied to the petitioner. It shall be open to the petitioner to challenge the same in accordance with law.

6. With the above direction, the present petition is disposed of.

NAVIN CHAWLA, J

SHALINDER KAUR, J

OCTOBER 22, 2024/Arya/DG

Click here to check corrigendum, if any