



2024:DHC:9948-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 23.12.2024***+ **W.P.(C) 17860/2024****V DURGA PRASAD**

.....Petitioner

Through: **Mr. P Sureshan, Adv.**

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: **Mr. Rishabh Sahu, SPC,
Mr. Yash Tyagi, GP, Mr. Sameer
Sharma, Adv. with Insp.
Yashpal, SI P. Devendra.****CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE SHALINDER KAUR****NAVIN CHAWLA, J. (Oral)****CM APPLS. 75994-95/2024 (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 16.6.2022 to the date of sanctioning full HRA , to the petitioner as he had been given less than 5% HRA by treating him as a barrack member.**b) Pass an order declaring that the petitioner is entitled to claim full HRA as a family member during all his future postings with the CISF, and consequently, direct the authorities to grant TA and DA on his transfer to other units.**c) Direct the respondents to pay entire arrears along with 18% interest from the date it become due and payable.*



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d) To direct the respondent to pay costs of this litigation.”

3. The learned counsel for the petitioner, in support of the prayer made, has placed reliance on the judgment dated 08.02.2024 passed by the Supreme Court in Civil Appeal No.4967 of 2023, titled ***Union of India & Ors. v. Paramasivan M***, and on the judgment dated 18.12.2019 of this Court in W.P. Civil No. 4839 of 2019, titled ***Brijesh Kumar v. DG CISF***.

4. Issue notice.

5. Notice is accepted by Mr.Rishabh Sahu, the learned counsel for the respondents.

6. Having considered the contents of the present petition and the above judgments, we are of the opinion that the contents of the present petition should be considered by the respondents as a representation of the petitioner and decide on the same within a period of eight weeks from today by passing a speaking order thereon.

7. In case the petitioner is held entitled to the reliefs claimed or any part thereof, the same shall be released to the petitioner without further orders from the Court. In case any of the prayers is rejected, it shall be open to the petitioner to challenge the same in accordance with the law.

8. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

SHALINDER KAUR, J

DECEMBER 23, 2024/Arya/as

Click here to check corrigendum, if any