



2025:DHC:759-DB



\$~108

* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 04.02.2025***

+ W.P.(C) 1399/2025

UTTAM SAIKIA & ORS.

.....Petitioners

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

versus

SASHASTRA SEEMA BAL & ANR.

.....Respondents

Through: Mr.Abhishek Saket, SPC with
Mr.Rishav Dubey, GP and
Ms.Amruta Padhi, Advs. for
UOI
SI Shrabanta Sarkar, SSB.**CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE SHALINDER KAUR****NAVIN CHAWLA, J. (ORAL)****CM APPL. 6774/2025 (Exemption)**

1. Allowed, subject to all just exceptions.

W.P.(C) 1399/2025 & CM APPL. 6775/2025

2. This petition has been filed by the petitioners, praying for a direction to restore the payment of Patient Care Allowance/Hospital Patient Care Allowance (in short, 'PCA/HPCA') to the petitioners and to release the arrears of PCA/HPCA, along with interest, to all the petitioners for the period during which the payment of the PCA has not been made to the petitioners.

3. In support of the prayer made, the petitioners place reliance on the Judgments of this Court dated 24.07.2024 in W.P.(C). No. 601/2023 title *Hemant Kumar and Ors. v. Sashastra Seema Bal & Anr.*; and dated 13.09.2024 in W.P.(C). No. 12921/2024, titled *Kamal*



2025:DHC:759-DB



Kishore and Ors. v. Sashastra Seema Bal and Anr..

4. Issue notice.
5. Notice is accepted by Mr.Abhishek Saket, the learned counsel on behalf of the respondents.
6. Keeping in view the above-mentioned Judgments of this Court, we dispose of the Writ Petition along with the pending application, by directing the respondents to examine the case of the petitioners for the grant of PCA/HPCA in terms of the eligibility criteria set out in the Circular dated 04.02.2004, within a period of four weeks from today. In case the petitioners are found eligible for the same, they will be paid PCA/HPCA on a month-to-month basis, and the up-to-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 at the rate of 9% P.A.
7. Further, taking into account that the respondents are being directed to consider the claim of the petitioners for the grant of PCA/HPCA, we direct that no recovery shall be made on this account from the petitioners until a final decision is taken by the respondents in terms of this order, and for a period of four weeks thereafter.
8. The petition along with the pending application is disposed of.

NAVIN CHAWLA, J

SHALINDER KAUR, J

FEBRUARY 4, 2025/sg/DG

Click here to check corrigendum, if any