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

+ **CONT.CAS(C) 1360/2025**

**NAGENDRA PANWAR**

.....Petitioner

Through: Mr. P. Sureshan, Adv.

versus

**GOVIND MOHAN AND ANR**

.....Respondents

Through: Mr. Nishant Gautam, CGSC with Mr. Prithviraj Dey, Ms. S. Koley, Adv.  
Mr. G.S. Rathore, AE, CISF<Yeshpal,  
Insp. CISF.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER**

**14.11.2025**

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1. This hearing has been done through hybrid mode.
2. The present petition under Section 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India seeks the following prayers:-

“a) Initiate the proceedings under the relevant Provisions of Contempt of Courts Act, 1971 read with rules by entertaining this petition under section 12 of the Act, against the alleged contemnor for willfully and deliberately disobeying the order 23.08.2024 passed in W.P.(C) 12115/2018 passed by this Hon’ble Court in the above case.

b) Direct the respondents to forthwith comply with the directions contained in the said judgment by paying the full arrears of HRA along with applicable interest as directed; c) Pass any other order or directions, as this Hon’ble Tribunal may deem fit and proper. AND FOR THIS ACT OF KINDNESS THE PETITIONER SHALL AS IN DUTY BOUND EVER PRAY.”



3. Vide order dated 09.09.2025, this Court passed the following directions:-

“4. Learned counsel for the respondent, on advance notice submits that the aforesaid order has been complied with and seeks time to place on record compliance affidavit. Let the same be done before the next date of hearing.

5. List on 14.11.2025.

6. In case of non-compliance, the concerned officer shall remain present in Court on the next date of hearing.”

4. The compliance affidavit authored by Commandant CISF Unit, IGI Airport has been placed on record wherein it has been recorded as under:-

“6. It is respectfully submitted that a total of Rs. 26,271/- (Twenty Six Thousand Two hundred Seventy One only) has been intimated towards HRA arrears ' and an interest of Rs. 1078/- (One thousand seventy-eight only) has been paid to the Petitioner.

A copy of Calculation Sheet received from CISF Unit SSP Salem is annexed and marked herewith as ANNEXU~ R-1.”

7. That in accordance with the data provided by CISF vide · UO dated 30.12.2024, the entitlement of HRA to the Petitioner w.e .f 01.11.2015 to 30.06.2024 is as under:

a. That the Petitioner was on deputation to Nepal Embassy, Kathmandu (Nepal) and Central Industrial Security Force (CISF) w.e.f 01.11.2015 to 12.12.2016, as per UO dated 30.12.2024. As per norms, the Petitioner was only entitled to Basic Pay and Foreign Allowance. Hence, the petitioner was not entitled to HRA during this period.

b. The Petitioner was thereafter posted at CISF Unit, CGBS New Delhi w.e.f 13.12.2016 to 31.08.2017. During the period, the Petitioner resided in Barrack, and as per the applicable rules, there was no rule for payment of HRA to personnel of CAPFs residing in Barrack. Further, on the recommendation of the 7m Central Pay Commission (CPC), the Ministry of Home Affairs



issued an Office Memorandum (OM) dated 31.07.2017 (OM effective from 01.07.2017) allowing reduced HRA applicable to the Selected Place of Residence of the Dependents during staying in Barracks and full HRA if not staying in Barracks. Accordingly, the Petitioner was not entitled to HRA w.e.f 13.12.2016 to 30.06.2017 and was entitled to reduced HRA (reduced by 5%) w.e.f 01.07.2017 to 31.08.2017 in accordance with MHA's OM dated 31.07.2017.

c. The Petitioner was thereafter posted at CISF Unit, ASG' Delhi wef. 01.09.2017 to 30.06.2024. During the period the Petitioner resided in a rented house. Hence, the Petitioner was entitled to full HRA in accordance with MHA's OM dated 31.07.2017.

A copy of UO dated 14.01.2025 intimated by MHA is annexed and attached herewith as ANNEXURE R-2. It is further submitted that, for the convenience of reference, the data here in before mentioned is also being furnished in tabular form as follows:



| Sr. No. | Period                   | Place of Posting               | Remarks                                                                                                                                                                                                                                                                               |
|---------|--------------------------|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.      | 01.11.2015<br>12.12.2016 | Deputation to Nepal Embassy    | Petitioner was on deputation to Nepal Embassy, Kathmandu (Nepal) and CISF vide UO dated 30.12.2024 has intimated that, as per norms during this period petitioner was entitled only for Basic Pay and Foreign Allowance. Hence HRA was not entitled to petitioner during this period. |
| 2.      | 13.12.2016<br>31.08.2017 | CISF Unit<br>CGBS<br>New Delhi | During this period petitioner was reside in Barack and there was no rule for payment of HRA to personnel of CAPFs during residing in Barack.<br><br>Further, on the basis of the recommendation of the 7 <sup>th</sup> CPC MHA has issued OM dated 31.07.2017 (order effective from   |



|    |                          |                        |                                                                                                                                                                                                                                                                                                                                                                       |
|----|--------------------------|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                          |                        | 01.07.2017) and allowed reduced HRA applicable at the Selected Place of Residence of the Dependents during staying in Barracks and Full HRA if not staying in Barracks.<br>Hence, petitioner is not entitled HRA w.e.f 13.12.2016 to 30.06.2017 and entitled reduced HRA (reduced by 5%) w.e.f 01.07.2017 to 31.08.2017 in accordance with MHA's OM dated 31.07.2017. |
| 3. | 01.09.2017<br>30.06.2024 | CISF Unit<br>ASG Delhi | Petitioner was staying in Rented House during this period. Hence, petitioner is entitled for full HRA in accordance with MHA's OM dated 31.07.2017.                                                                                                                                                                                                                   |

8. Thus, it is respectfully submitted that as per letters dated 31.01.2025 issued by Central Industrial Security Force (CISF) Headquarters and UO dated 14.01.2025 issued by the Ministry of Home Affairs, the Petitioner was entitled only to Basic Pay and foreign allowances during his deputation as per rules. A copy of Letter dated 31.01.2025 by Central Industrial Security Force (CISF) Headquarters is annexed and attached herewith as ANNEXURE R-3.”



5. Learned counsel for the petitioner disputes the aforesaid calculation and seeks leave to withdraw the present petition with liberty to initiate appropriate proceedings in accordance with law before the court of competent jurisdiction.
6. Leave and liberty granted.
7. The present petition is dismissed as withdrawn and disposed of accordingly.
8. Pending application, if any, also stands disposed of.

**AMIT SHARMA, J**

**NOVEMBER 14, 2025/nk/ah**