



2025:DHC:10739-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 01.12.2025***

+ W.P.(C) 18129/2025

UNION OF INDIA AND ORS

.....Petitioners

Through: Mr.Siddhartha Shankar Ray,
CGSC with Mr.Suryadeep
Singh, Adv. along with Lt. Col.
Sachin Dev Sally.

versus

WORKERS UNION AND ANR

.....Respondents

Through: Mr.B.L. Wanchu, Mr.G.D.
Chawla & Mr.Rajesh Chauhan,
Advs.**CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE MADHU JAIN****NAVIN CHAWLA, J. (ORAL)****CM APPL. 75017/2025 (Exemption)**

1. Allowed, subject to all just exceptions.

W.P.(C) 18129/2025 & CM APPL. 75016/2025

2. This petition has been filed by the petitioners, challenging the Order dated 30.08.2024 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. 2366/2023, titled ***Workers Union & Anr. v. Union of India & Anr.***, whereby the learned Tribunal, placing reliance on the Orders passed by the learned Tribunal, Chandigarh Bench, in ***Gurmit Singh v. Military Engineering Service*** (Order dated 05.06.2020 in



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O.A. No. 060/01228/2019) and in ***Birbal & Ors. v. Union of India & Ors.*** (Order dated 22.07.2024 in O.A. No. 278/2023), allowed the O.A. filed by the respondents herein and issued the following directions:

“13. It is quite surprising that all of a sudden, the respondents have passed the impugned orders conveying that there is not even a decision as yet for grant of Dress Allowance to the category of the applicants and as such the payment of allowance already made may be recovered, as clarified by PCDA, Chandigarh, and as such impugned orders of recovery were passed, that too in violation of the principles of natural justice. A perusal of both reproduced OMs would make it clear that a conscious decision was taken by the Ministry of Finance, Department of Expenditure, New Delhi and then DoP&T (Nodal Department), pursuant to implementation of the 7th CPC recommendations, for grant of Composite Dress Allowance, instead of various allowances, which were discontinued, @ Rs.5,000/- per annum. The respondents have also not rebutted the averments made by the applicants that they stopped receiving the washing allowances from the date they started getting Dress Allowance @ Rs.5000/-per annum. Be that as it may, the fact remains that since a specific clarification has already been issued by the nodal Department of Personnel & Training, for grant of such allowance to the entitled categories, therefore, the view taken by respondents in withdrawing the same from the applicants and making recovery thereof cannot be sustained and as such the impugned orders in all these cases are quashed and set aside. The applicants are held entitled to grant of Dress Allowance and if any recovery has been made, the same be refunded to the relevant individuals involved in these cases. No costs.”



3. At the outset, we note that although the learned Tribunal has placed reliance on the aforesaid Orders of the learned Tribunal, Chandigarh Bench, even copies of the same have not been filed along with the present Writ Petition. We fail to understand how the petitioners expected to distinguish these orders or to convince this Court that they are not applicable to the facts of the present case, without even annexing copies thereof.

4. Be that as it may, we have considered the submissions made by the counsel for the petitioners.

5. The learned counsel for the respondents, who appears on advance notice of this petition, submits that the respondents have been receiving the washing allowance since 1960, and that the Office Memorandum relied upon by the petitioners merely consolidates various kinds of allowances in this regard; the intent was never to withdraw the allowance from the respondents, who are required to wear special gear/uniform for the performance of their duties.

6. We find merit in the submissions made by the learned counsel for the respondents.

7. For the reasons stated hereinabove, and those recorded by the learned Tribunal, we do not find any merit in the present petition. The same is, accordingly, dismissed. The pending application also stands disposed of.

NAVIN CHAWLA, J

MADHU JAIN, J

DECEMBER 1, 2025/rv/DG