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

+ **CONT.CAS(C) 628/2023**

AARIF HUSSAIN

..... Petitioner

Through: Mr Ankur Chhibber, Adv. (through
VC)

versus

SHRI AJAY KUMAR BHALLA AND ORS Respondents

Through: Mr Harish Vaidyanathan Shankar,
CGSC with Mr Srish Kumar Mishra,
Mr Sagar Mehlawat, Mr Alexander
Mathai Paikaday, Mr M Sriram and
Mr Krishnan V, Advs.
Mr Ankit Verma, Government
Pleader

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

29.08.2023

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1. This is a petition seeking initiation of contempt proceedings against the respondents for violation of the judgement dated 16.12.2022 passed in W.P.(C) No. 3370/2020. The operative portion of the judgement reads as under: -

“19. Applying the ratio of law settled in various decisions to these petitions, we find that respondents cannot be permitted to take discriminatory view for personnel of different forces deployed in common areas for grant of HRA. Accordingly, the Signal dated 15.03.2018 and letter 22.03.2018, rejecting petitioners' request for grant of HRA, are hereby set aside. The

impugned Office Memorandum No. II-270 12/35/CF-3396486/20 17-PF-I dated 31.07.2017 issued by the Government of India, Ministry of Home Affairs, Police-II Division (PF-I Desk) and the Signal No. P.I-112017 dated 08.09.2017 in respect of Seventh Pay Commission issued by the DIG (Adm) Dte. CRPF, are hereby partly set aside with direction to the respondents that the benefit of HRA shall not be confined to only PBORs but shall be extended to all the personnel of the Forces irrespective of their rank, as per their entitlement. Further, respondents are directed to take necessary steps within six weeks of this judgment, in consultation with the Ministry of Home Affairs as well as Ministry of Finance, to grant benefit of HRA to the petitioners and similarly situate personnel w.e.f, passing of this judgment.”

2. In the present case the respondents were directed to comply with the order within a period of six weeks. It has been more than nine months and the order has not been complied with.
3. Time and again it is coming to the notice of this Court that the timelines and the directions given by this Court are totally ignored and not adhered to. The mere fact that an SLP is filed is no reason for non-compliance of the order. The respondent No. 2 – CRPF is a security force and is not exempt from the jurisdiction of this Court. There is total non compliance of the directions and timelines indicated by the Court.
4. In case the orders are not complied with in letter, spirit and intent within a period of seven weeks from today, the respondent No.2 shall remain present in Court on the next date of hearing.

5. At request of Mr Harish Vaidyanathan Shankar, learned CGSC, a period of 7 weeks is granted to comply with the judgement dated 16.12.2022.

6. List on 23.11.2023.

Copy of this order be given *dasti* under the signatures of Court Master/Private Secretary.

JASMEET SINGH, J

AUGUST 29, 2023

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[Click here to check corrigendum, if any](#)