

GAHC010083292025



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**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : WP(C)/2283/2025**

THE NAVODAYA VIDYALAYA SAMITI AND 3 ORS.  
DEPARTMENT OF SCHOOL EDUCATION AND LITERACY, GOVERNMENT  
OF INDIA REPRESENTED BY ITS COMMISSIONER, B-15, INSTITUTIONAL  
AREA, SECTOR-62, NOIDA, DISTRICT GAUTAM BUDH NAGAR, UTTAR  
PRADESH-201309

2: THE DEPUTY COMMISSIONER  
NAVODOYA VIDYALAYA SAMITI  
HYDERABAD REGION  
NALAGANDLA ROAD  
GOPANPALLY, RANGAREDDY  
HYDERABAD-500107

3: THE PRINCIPAL  
JAWAHAR NAVODAYA VIDYALAYA  
ARONG, CAR NICOBAR  
P.O.- NICOBAR DISTRICT-744301  
ANDAMAN AND NICOBAR ISLANDS

4: THE DEPUTY COMMISSIONER  
NAVODOYA VIDYALAYA SAMITI  
SHILLONG REGION, TEMPLE ROAD  
BARIK POINT, LACHUMIERE  
SHILLONG-79300

VERSUS

YOGESH KUMAR  
SON OF SHRI RAJINDER SINGH, RESIDENT OF GOVERNMENT BOYS  
SENIOR SECONDARY SCHOOL, BHORGARH, P.O.- BHORGARH, DELHI,  
DIST- NORTH WEST DELHI, DELHI, PIN-110040

For petitioner/appellant(s) : Ms. R.S. Chowdhury, Advocate  
Mr. R. Chauhan, Advocate  
For respondent(s) :

– **BEFORE** –  
**HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI**  
**HON'BLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

**02.05.2025**

*(Vijay Bishnoi, CJ)*

Heard Ms. R.S. Chowdhury, learned counsel appearing for the writ petitioners.

Learned counsel for the petitioners has submitted that the Tribunal has erred in not taking into consideration the fact that the benefit of double HRA is paid to an employee only in case his/her family is residing at his/her previous place of posting and not in any other place. It is contended that the Tribunal has not rightly appreciated the intention of the Office Memorandum dated 02.01.2009 as well as 19.07.2017 issued by the Central Government.

Issue notice to the respondents by registered post with A/D as well as through Dasti mode.

In the meantime, the effect and operation of the impugned order dated 20.12.2024 passed by the Central Administrative Tribunal (CAT), Guwahati Bench, in O.A. No. 204/2024 shall remain stayed.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**