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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2522/2016**
SARASWATI THAPA Petitioner
Through : Ms. Sangeeta Tomar, Advocate

versus
UNION OF INDIA & ORS Respondents
Through : Mr. Manish Mohan, CGSC with
Mr. Shivam Chauhan, Advocate

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
% **22.03.2016**

1. The present petition has been filed by the petitioner, whose husband was enrolled in the 90th Bn, BSF on 9.2.1968 and while performing his duties, suffered a bullet injury at Bangladesh on 5.11.1971, whereafter, he passed away.
2. Counsel for the petitioner submits that the petitioner is being paid family pension @ Rs.1478/- p.m., whereas in terms of the Office Memorandum dated 9.3.2000, she is entitled to claim liberalized pension in terms of the OM dated 9.3.2000. He submits that the petitioner has made several representations to the respondents for enhancement of the family pension that is being paid to her, but to no avail. Learned counsel states that though the Unit, where the petitioner's husband was attached, has also been representing to the respondents to consider the petitioner's case sympathetically in the light of the OM dated 9.3.2000, it has not elicited any response from the respondents. Hence, the present petition.

3. Counsel for the respondents, who appears on advance copy, assures the Court that they shall consider the latest representation dated 3.12.2014, addressed by the petitioner (Annexure P-14) and communicate their decision to her within six weeks from today.
4. While considering her representation dated 3.12.2014, the fact that the service book of the petitioner's husband is not traceable, will not be an impediment for processing the petitioner's representation in the light of his correspondence file, which is stated to be available with the respondents.
5. The present petition is disposed of with the aforesaid directions.
6. Needless to state that if the petitioner's grievance still survives, she may seek her remedies, if so advised, as per law.

HIMA KOHLI, J

SUNIL GAUR, J

MARCH 22, 2016
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