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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 6118/2012

SHRI VEER SINGH

Through

..... Petitioner

Mr. Ashok Thagal, Advocate

versus

UNION OF INDIA AND ORS Respondents

Through

Mr. Roshan Lal Goel, Advocate for
UOI.Mr. Sanjoy Ghosh, ASC (Civil) with
Mr. Vikramaditya, Advocate for
GNCTD.**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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01.03.2016

Present writ petition has been filed seeking old age pension under the Old Age Assistance scheme.

In the petition, it has been averred that the petitioner has been deprived of his pension only on the ground that petitioner was allegedly not found at the address available with the respondent-GNCTD. It is, however, the petitioner's case that he continued to reside at the address available with the respondents.

Upon notices being issued by this Court, officials of respondent-GNCTD made a visit to the petitioner's address on 15th October, 2012 and found that petitioner was residing at the same address. This fact was also confirmed by the petitioner's neighbours. Consequently, respondent-

GNCTD approved the petitioner's case for grant of Old Age Assistance w.e.f. October, 2012.

Due to capping limit of Rs. 3.50 lacs of beneficiaries under the said Scheme, remittance of the amount due to fresh cases, including that of the petitioner, could not be released.

However, it is an admitted case that since April 2013, petitioner has been receiving the old age assistance. Consequently, the only issue that survives for consideration is whether petitioner is entitled to Old Age Assistance between October 2012 and March 2013.

Since under the Old Age Assistance Rules, 2009 there is a provision for an Appellate Authority, this Court disposes of the present writ petition with a direction to petitioner to raise its grievance of outstanding amount before the Appellate Authority within four weeks. In the event, such an application is filed, the Appellate Authority is directed to dispose of the same by way of a reasoned order within a further period of eight weeks after giving an opportunity of hearing to the petitioner. A copy of the said order shall be communicated to the petitioner.

However, it is clarified that this Court has not expressed any opinion on the merits of the case and all rights and contentions of parties are left open.

MANMOHAN, J

MARCH 01, 2016

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