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

+ **W.P.(C) 9769/2015**

BABY PARI

..... Petitioner

Through: Mr. Sugam Puri and Mr. Nitin
Sharma, Advocates.

versus

GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through: Mr. Devesh Singh, ASC.
Mr. Apurv Chandola, Advocate for R-
4.

CORAM:

HON'BLE MR. JUSTICE SUDERSHAN KUMAR MISRA

ORDER

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16.03.2016

C.M. Appl. No. 6432/2016

This writ petition is instituted by the petitioner through her maternal grandmother, *inter alia*, seeking benefits of her late mother's entitlement after her death on 28th August, 2014 when she was employed as a TGT in SKV, H-Block, Mangolpuri, Delhi. The petitioner's mother, namely, Late Smt. Sangeeta Kukreja, was working as a teacher in the said school at the time of her death.

It is alleged in the writ petition that the husband of late Smt. Sangeeta Kukreja, namely, Sh. Raj Kumar, who is also arrayed as respondent No.4 in this petition, cannot be relied upon to *W.P.(C)*

9769/2015

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make adequate provisions for the upkeep and welfare of the petitioner, besides the fact that he has sufficient means to take care of himself and that he owns a shop at Bhagirath Place, Chandni Chowk, Delhi, and is also running a courier service and, therefore, all the entitlements with regard to the employment of late Smt. Sangeeta Kukreja be disbursed only to the petitioner through her maternal grandmother, namely, Smt. Santosh, who has moved the instant petition.

During the course of these proceedings, the parties are stated to have arrived at an amicable settlement in terms of the Memorandum of Understanding executed between them on 11th February, 2016. A copy of the same has been filed before this Court. Significantly, this settlement is limited to the pension of late Mrs. Sangeeta Kukreja, and nothing more.

Smt. Santosh, i.e., maternal grandmother of the petitioner and respondent No. 4, namely, Sh. Raj Kumar, are present in person, they are also identified by their respective counsel. All of them approve the terms of the aforesaid MOU and undertake to remain bound by the same.

As per the agreed terms, the pension amount of Smt. Sangeeta Kukreja shall be divided in the ratio of 60% in favour of the petitioner and remaining 40% shall go to respondent No. 4, namely, Sh. Raj Kumar.

Looking to the circumstances and as prayed, respondent No. 3, i.e., the concerned Branch Manager, Punjab National Bank, is directed to disburse all amounts received towards the dues of late Smt. Sangeeta Kukrja in the aforesaid ratio to the account of the petitioner maintained with Punjab National Bank, Rohini, Delhi, bearing account No.3028000300291376 as well as the account of respondent No. 4 bearing account No. 3028000100347778.

It is ordered accordingly.

The aforesaid settlement dated 11th February, 2016 shall also form part of this order.

The writ petitions and interim applications are disposed off accordingly.

The application stands disposed off.

A copy of the order be given *dasti*.

SUDERSHAN KUMAR MISRA, J

MARCH 16, 2016

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