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

+ **W.P.(C) 7261/2003**

KALYANT BURMEE

..... Petitioner

Through: Husband of the petitioner.
versus

GOVT. OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Randhir Jain and Mr. Dhananjay
Jain and Mr. Bhoop Singh, Advocates
for R-3.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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22.02.2017

1. Petitioner has expired long back on 20.1.2011. No application has been filed for bringing on record the legal heirs of the petitioner. This petition therefore abates. The husband of the petitioner Sh. R.S.Burmee is present and he states that the legal heirs of the petitioner do not want to press this petition, but the petitioner must get all her service dues which are terminal benefits on account of service with the respondent-Ramjas School.
2. Counsel for respondent nos.3 and 4 i.e these respondents who represent the Ramjas School states that Ramjas School will release all

service dues of the petitioner late Smt. Kalyane Burmee to her husband provided Sh. R.S.Burmee gives to the Ramjas School 'No Objection Certificate' (NOC) of all other legal heirs for the dues to be paid only in the name of Sh. R.S.Burmee. Also, the Ramjas School will, if not already paid, pay the dues or the balance dues on account of services of the petitioner with the Ramjas School within a period of three months from today, subject to Sh. R.S.Burmee giving the NOCs of all other legal heirs to the Ramjas school within a period of four weeks from today. The Ramjas School when giving the dues to Sh. R.S.Burmee, subject to Sh. R.S.Burmee giving the NOCs, will give a calculation which are as to the statutory dues which were payable to late petitioner and how those dues stand paid either in the past or alongwith the calculations which will be supported by a letter. Needful be done by the Ramjas School within a period of three months from today.

3. I may note that the counsel for the respondent-school states that the dues of the petitioner have been cleared, and thus this order has the effect that only if there are any dues payable, the same would be paid to Sh. R.S.Burmee, but, the calculations as to what were the total dues payable and how those dues stand paid, will be provided to Sh. R.S.Burmee.

4. In case, Sh. R.S.Burmee or any of the legal heirs of the late petitioner are not satisfied with the payments and the calculations which are to be submitted by the Ramjas School, then in such a case, it is available to any of such persons to file appropriate independent proceedings in accordance with law.

5. The writ petition is disposed of accordingly.

VALMIKI J. MEHTA, J

FEBRUARY 22, 2017

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