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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 2657/2016 & CM APPL. 11245/2016

MADHU AND ANR

..... Petitioners

Through: Ms. Sija Nair Pal, Advocate with
Ms. Olivia Bang, Advocate with
petitioner No.2 in person.

versus

NORTHERN RAILWAY AND ORS

..... Respondents

Through: Mr. Jagjit Singh, Advocate with
Mr. Preet Singh, Advocate for Northern
Railway.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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17.04.2017

Present writ petition has been filed challenging the rejection order dated 23rd November, 2015 passed by respondent No.1-General Manager, Northern Railways. Petitioners have also prayed for inclusion of their names in the medical card and the privilege passes issued by the Northern Railways in their favour.

In the impugned rejection order dated 23rd November, 2015, the General Manager, Northern Railways, has denied the medical card and the privilege passes to the petitioners who are the wife and daughter of respondent No.2 on the ground that the said facilities are extended to the

family of Railway servant on his declaration alone. Admittedly, the respondent No.2 has not declared the petitioners on the date of his retirement as his dependants. In the impugned order, it has been further held that there is no provision for providing separate medical card or privilege passes to the mother and daughter of a retired employee as the benefit is extended to the family of Railway servant/retired Railway servant.

Mr. Jagjit Singh, learned counsel for Northern Railways states that in the event respondent No.2 declares the petitioners as his family members, the Railways would have no objection to extend the benefit of medical card as well as the privilege passes to the petitioners.

Since the respondent No.2 was not appearing in this Court despite service, bailable warrants was issued against him on last date of hearing.

In pursuance to the last order, respondent No.2 is personally present in Court. He reiterates that he is not agreeable to declare the petitioners as his family members.

In view of the aforesaid, this Court is of the view that the issue raised in the present writ petition is a personal matter between the petitioners and respondent No.2. As in the writ proceedings, personal/ family issues cannot be decided, present writ petition and application are disposed of with liberty to the petitioners to file appropriate proceedings in accordance with law.

MANMOHAN, J

APRIL 17, 2017

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