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

+ W.P.(C) 7734/2014

MANGLI DEVI @ PARVEEN

..... Petitioner

Through: Counsel (appearance not given)

versus

THE COMMISSIONER (PENSION) & ANR.

..... Respondents

Through: Mr. Sumeet Pushkarna and Mr. Siddhartha Nagpal, Advocates for R-1.

Mr. R.K.Vats and Kumari Alka, Advocates for R-2.

Ms. Sunita Rani Sharma, Adv. for the applicant in CM No. 34839/2016.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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07.02.2017

W.P.(C) 7734/2014 & CM No. 34839/2016 (for impleadment)

1. By this writ petition, petitioner Smt. Mangli Devi claimed terminal benefits of grant of family pension on account of death of her husband Sh. Chander Singh Rawat, who was an employee of the Delhi Vidhut Board (DVB).

2. Today, an application being CM No. 34839/2016 has been filed by one Smt. Praveen Devi who claims to be the legally wedded wife of late Sh.

W.P.(C) 7734/2014

page 1 of 2

Chander Singh Rawat. Four sons were also born as per the applicant from the wedlock as stated in para 2 of this application.

3. In view of the above, there is a dispute as to who is the legal heir in law and entitled to succeed to the estate and thus the entitlement to family pension being on account of death of Sh. Chander Singh Rawat having served the DVB.

4. In law, it is only a decision of a civil court which will operate to determine who is the person, who will be the legal heir of deceased Sh. Chander Singh Rawat i.e whether the petitioner herein or the applicant Smt. Praveen Devi.

5. At this stage, it is agreed and accordingly this writ petition is disposed of for the time being with liberty to any of the parties, who is successful in getting that person adjudicated as a legal heir of late Sh. Chander Singh Rawat entitled to the pension, to file the appropriate independent proceedings including by means of filing of a writ petition in this Court.

6. The writ petition is accordingly disposed of with the aforesaid observations.

VALMIKI J. MEHTA, J

FEBRUARY 07, 2017

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W.P.(C) 7734/2014

page 2 of 2