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

+ W.P.(C) 3255/2018

PRADEEP KUMAR SAXENA ..... Petitioner  
Through: Mr. U. Srivastava, Advocate.  
versus

UNION OF INDIA & ANR ..... Respondents  
Through: Dr. Ashwani Bhardwaj, Advocate.

**CORAM:**

**HON'BLE MS. JUSTICE HIMA KOHLI**

**HON'BLE MS. JUSTICE REKHA PALLI**

**ORDER**

% **24.07.2018**

1. The petitioner is aggrieved by the judgment dated 06.11.2017, passed by the Principal Bench, Central Administrative Tribunal, New Delhi dismissing O.A. No. 1250/2016, filed by him praying *inter alia* for declaring that his deceased sister, Ms. Beena Saxena, was entitled to additional weightage of five years under VRS in her qualifying service of 23 years. Further, the petitioner had sought directions to the respondents to disburse the death gratuity and pension/arrears of pension in his favour along with interest.

2. By the impugned order, the Tribunal dismissed the O.A. filed by the petitioner on the ground that there is no provision that entitles a brother to claim family pension in respect of a deceased employee (sister) as he does not fall under Category-I or Category-II of family members. We have requested learned counsel to show the rule position, which would entitle the petitioner to such relief.

3. After addressing arguments for some time, learned counsel for the petitioner seeks leave to withdraw the present petition.

4. Leave, as prayed for, is granted. The petition is dismissed as withdrawn.

**HIMA KOHLI, J**

**REKHA PALLI, J**

**JULY 24, 2018**

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