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

+ **W.P.(C) 9659/2018**

BABY MUSKAN & ANR Petitioners

Through: Mr.Yogesh Sharma, Adv. with
Ms.Kavita Devi, mother of the
petitioners.

versus

UNION OF INDIA & ANR Respondents

Through: Mr.Vikram Jetly, CGSC for UOI.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **14.09.2018**

1. The present writ petition has been filed by two minor petitioners through their natural guardian/mother praying *inter alia* that the respondents be directed to sanction half of the family pension payable on the demise of their father Late Head Constable Satbir Singh, who had retired from the BSF on 30.04.2009 and had expired on 06.07.2014.

2. It is the contention of the learned counsel for the petitioners that despite several representations made to the respondents, they are not releasing the family pension to the petitioners, though they had themselves admitted to the fact that the minor children of the

deceased namely, the petitioners herein, even if they are born out of a second marriage solemnized by the Head Constable Satbir Singh during the currency of his marriage with his first wife, would be entitled for grant of half of the family pension.

3. A perusal of the letter dated 30.06.2015, addressed by the respondents to the petitioners reveals that the department had sought various documents numbering 13, from the petitioners to process their case for release of 50% of the family pension.

4. On inquiring from learned counsel for the petitioners as to whether the said documents have been furnished so far, he states on instructions, that the said documents have not been furnished by the natural guardian/mother of the petitioners and requests that a period of four weeks be granted for the said purpose.

5. On the petitioners furnishing the relevant documents mentioned in the letter dated 30.06.2015, addressed by the respondents to the petitioners, the respondents shall examine the same. If there is any deficiency in the said documents, the same shall be communicated to the petitioners through their natural guardian. On fulfilling all the necessary requirements, the respondents shall process the case of the petitioners for releasing 50% of the family pension in accordance with law. The respondents shall do the needful within six weeks from the date the petitioners complete the requisite formalities.

6. The petition is disposed of.

HIMA KOHLI, J

REKHA PALLI, J

SEPTEMBER 14, 2018
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