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

+ **W.P.(C) 1962/2017**

SUNITA DEVI

..... Petitioner

Through: Mr Mahindra Dubey, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Ms Saroj Bidawat, Advocate.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

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23.04.2019

1. The prayer of the Petitioner is for grant of extraordinary pension (EOP) on account of death of her husband in a landslide. The Petitioner states that her husband was a Junior Engineer (Civil) in the Border Road Organization (GRA) when the mishap occurred.
2. In the counter affidavit, it is pointed out that the Petitioner has received a compensation in the sum of Rs.6,25,880/- pursuant to an Award passed by the Employees Compensation Commissioner, Jind, Haryana. Further the provisional family pension for the period 11th February, 2014 to 10th August, 2015 had been paid to her.
3. In that view of the matter, the request for the extraordinary pension was turned down by the said order dated 6th December, 2014, which has been communicated to the Petitioner.

4. One of the conditions for grant of EOP under the CCS (EOP) Rules, is that the victim should not have been governed by the Workmen's Compensation Act. Inasmuch as, the husband of the Petitioner had in fact been granted the above compensation under the said Act, and the amount having been paid to the Petitioner on 12th January, 2015, this Court is unable to grant the relief prayed for in this petition.

5. The petition is accordingly dismissed. No costs.

S. MURALIDHAR, J.

I.S. MEHTA, J.

APRIL 23, 2019

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