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

+ **LPA 197/2018 & CM Appl. No. 23993/2018**

AIR INDIA LTD

..... Appellant

Through

Ms. Ratna Dwivedi Dhingra &
Mr. Ajay Pratap Singh, Mr. Dhawal
Jain, Advocates

versus

DR MRS NEERAJ

..... Respondent

Through

Mr. Sanjoy Ghose & Ms. Urvi
Mohan, Advocates for Respondent
No.1

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE I.S.MEHTA

ORDER

15.04.2019

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1. In the present case the Respondent approached this Court with a writ petition after the Appellant failed to release the retiral dues of her late husband who was working with the Appellant as a pilot.

2. The background facts as noted by the learned Single Judge in the impugned judgment dated 14th November 2017 were as follows:

“On May 24, 2010, a charge sheet was issued to the late husband of the petitioner. On May 28, 2010, the husband of the petitioner was informed that all his retirement benefits will be withheld, excluding his contribution towards Provident Fund, subject to the outcome of the Departmental proceedings. On May 31, 2010, the husband of the petitioner retired from service. Suffice to state, the husband of the petitioner submitted reply to the charge sheet. The inquiry was conducted under the aegis of Commissioner of Enquiries, Central

Vigilance Commission. Before the Disciplinary Authority could pass a final order, the husband of the petitioner passed away on October 12, 2010 due to various medical complications.”

3. The learned Single Judge has allowed the writ petition of Respondent No.1 and directed the Appellant to release to her the entire retiral benefits payable to her late husband. During the pendency of this appeal, pursuant to the order dated 30th July 2018, the amount payable by the Appellant which had been deposited in this Court by it was released to the Respondent subject to her furnishing a bond.

4. Considering the facts and circumstances, the Court does not consider it appropriate to interfere in the matter. The questions of law that arise for determination in this appeal are left open to be decided in an appropriate case.

5. The appeal and pending application are disposed of.

S. MURALIDHAR, J.

I.S. MEHTA, J.

APRIL 15, 2019

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