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

+ **W.P.(C) 2614/2021 & CM APPL. 7734/2021**

SUMITRA DEVI

.....Petitioner

Through: **Mr.Ajay Singh with Mr.Shikhar
Sardana, Advocates.**

versus

UNION OF INDIA & ORS.

..... Respondents

Through **Ms.Sunita Ojha, Advocate.**

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Date of Decision: 22nd March, 2021

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE ASHA MENON

J U D G M E N T

MANMOHAN, J (Oral):

1. Present writ petition has been filed seeking a direction to the Respondents to release the family pension from the month of June 2016 as well as other pensionary benefits i.e., DA and fixed medical allowance along with interest at the rate of 24% from the due date till the date of actual payment.

2. Learned counsel for the Petitioner states that the Petitioner's husband was an ex-CRPF personnel who expired on 24th May 2016 leaving behind the Petitioner, who is currently aged 78 years, as the legal heir. He states that the Petitioner was not allowed to withdraw the family pension by the Respondents as the name of the petitioner was not mentioned against the column of wife in the pension records of the Petitioner. He states that the Petitioner approached the Ministry of Finance where the Petitioner was

initially informed that as per their pension record, the name of the wife is mentioned as Smt. Shridevi and subsequently as Pushpa Devi. He states that the Petitioner was informed that since the Petitioner is the second wife, her name had not been entered.

3. Learned counsel for petitioner states that thereafter, the Petitioner approached Respondent No. 4 for authorisation as well as for release of family pension and the Petitioner submitted the details of the documents including the wedding certificate and a legal heir certificate issued by the District Judge.

4. He states that on 10th September 2020, the Petitioner filed an online grievance with the grievance management system of the CRPF mentioning the unnecessary harassment made by Pension clerk of Respondent No. 4 since he was raising irrelevant queries and making erroneous correspondence with SBI Bhathana Branch, Etawah regarding forwarding of Old Original Disburser's Portion of PPO and last payment certificate in favour of the deceased pensioner Shri Hakim Singh. He states that the DG, CRPF closed the online grievance after two months with remark that case had been solved.

5. Issue notice.

6. Ms. Sunita Ojha, Advocate accepts notice on behalf of the Respondents. She prays for an adjournment on the ground that she wants time to obtain instructions.

7. However, the prayer for adjournment is declined as this Court is of the view that closure of petitioner's online grievance is palpably erroneous inasmuch as the case/grievance has not been resolved.

8. Consequently, the online grievance is restored and the present writ petition is directed to be treated as a representation. The Director General, CRPF or an officer authorised by him is directed to decide both the said representation and the online grievance by way of a reasoned order within twelve weeks.

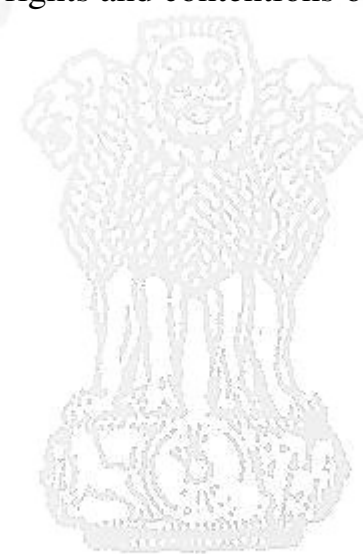
9. With the aforesaid direction, present writ petition along with pending application stands disposed of.

10. This Court clarifies that it has not expressed any opinion on the merits of the controversy. All the rights and contentions of the parties are left open.

MANMOHAN, J

ASHA MENON, J

MARCH 22, 2021
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