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

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Date of decision: 20.05.2022

+ W.P.(C) 2465/2020

VIDYA

..... Petitioner

Through: Mr.K. K. Sharma, Adv.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Ms.Satya Ranjan Swain, Central
Government Senior Panel with
Mr.Pratyasish Mohanty &
Mr.Kautilya Birat, Advts.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T (oral)

1. By way of the present petition, petitioner prays as under:

- (a) *To direct the Respondent No. 2 to 4 for giving monthly Gallantry Medal allowances i.e. PPMG (posthumously), and other all benefits arising there from with effect from the date of its applicability and make the payment of arrears thereof to the Petitioner with interest from its due date of actual payment at the rate which this Honb'le Court may consider as just and proper in light of the facts and circumstances of the case and in interest of justice;*



(b) To direct the Respondent No. 2 to 4 to revise the pension of Petitioner in terms of recommendation of 7th Pay commission and make the payment of arrears thereof to the Petitioner with interest from its due date of actual payment at the rate which this Hon'ble Court may consider as just and proper in light of the facts and circumstances of the case and in interest of justice;

(c) To direct the respondents to give the appropriate fixed medical allowance and its arrears thereof to the Petitioner.

2. Pursuant to order passed by this Court, respondents have filed counter affidavit wherein it is stated that the arrears of monthly allowance of the Police Medal for Gallantry (Posthumously) in favour of the deceased Petitioner for the period from 01.01.2016 to 29.02.2020 amounting to Rs.1,00,000/- has already been claimed by the headquarter DG BSF (Pers Dte : Pers - II Section) New Delhi and paid to the deceased Petitioner on 05.06.2020. The said fact has not been disputed by learned counsel for the petitioner.

3. In the counter affidavit, it is also mentioned that the arrears of monthly allowance of the President's Police Medal for Gallantry (Posthumously) of remaining period i.e. from 06.09.1965 to 31.12.2015 amounting to Rs.2,87,776/- has been claimed in favour of the deceased petitioner and its bill has been sent to PAD BSF, New Delhi for making



payment in favour of the deceased petitioner vide CP Bill No.00000838 dated 25.02.2021 (New CP Bill No.00000787 dated 15.10.2021), however, this fact has been disputed by learned counsel for the petitioner while submitting that till date, the said payment has not been received by the petitioner.

4. Learned counsel for the petitioner submits that if the respondents are directed to pay an amount of Rs.2,87,776/- as has already been cleared by the respondents, then nothing remains in the present petition.

5. Accordingly, as admitted by the respondents in the counter affidavit, an amount of Rs.2,87,776/- towards arrears of monthly allowances of the President's Police Medal for Gallantry for the period from 06.09.1965 to 31.12.2015 is directed to be paid in favour of the deceased petitioner within four weeks from today, failing which petitioner shall be entitled for interest @ 12% p.a. on the delay part.

6. In view of above, petition is disposed of.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

MAY 20, 2022/ab

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