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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2410/2024**
VISHAMBAR DAYAL

..... Petitioner

Through: Mr. R. K. Shukla, Adv.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. Ranvir Singh, CGSPC

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

19.02.2024

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1. This petition has been filed by the petitioner with the following prayers:-

“(i) for issuance of a writ/order/direction in the nature of a writ of mandamus thereby quashing and setting aside the impugned order dated 23.11.2023, directing the respondent no. 2 to consider his case for grant of compassionate allowance giving special consideration in terms of rule 41 of the CCS (Pension) rules to the Petitioner

(ii) Any further appropriate writ / order / directions be also passed in favour of the petitioner and against the respondents as this Hon’ble Court deems fit and proper in the facts and circumstances of the case in the interest of justice.”

2. Mr. R. K. Shukla submits that the petitioner has expired and respondents in their communication dated November 23, 2023, addressed to Smt. Lakshmi Devi W/o Late Bishamber Dayal, the petitioner herein, rejected the request of the Late Bishamber Dayal for compassionate



allowance. He submits that since the petitioner has died, this petition stands abated. The wife of Late Bishamber Dayal shall challenge the communication dated November 23, 2023, by filing a separate petition.

3. Noting the submission, this petition is closed as abated.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

FEBRUARY 19, 2024/ds