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

+ **W.P.(C) 7059/2024**

SMT. SANTOSH

..... Petitioner

Through: Mr. Anuj Chauhan and Mr. Anand,
Advocates.

versus

GOVERNMENT OF NCT OF DELHI AND ORS. Respondents

Through: Ms. Nancy Shah, Ms. Medha Haridas
Dilip, Mr. Angad Singh and Mr.
Vishal, Advocates for R-1 and 2.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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16.05.2024

CM APPL. 29442/2024 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 7059/2024

1. The Petitioner has approached this Court for a direction for issuance of a Surviving Member Certificate (SMC) of deceased Bimla Devi. The facts as stated in writ petition reveal that Bimla Devi passed away during COVID-19 pandemic on 03.05.2021.
2. The Petitioner has approached this Court by filing W.P.(C)10048/2021 seeking *ex gratia* monetary compensation. The same was withdrawn *vide* Order dated 03.02.2022. The Petitioner filed another writ petition bearing W.P.(C) 16697/2022 for a direction for receiving cremation receipt as the same was required for the purpose of death



certificate and ultimately the death certificate was issued on 13.04.2023. When the Petitioner approached the competent authority for grant of *ex gratia* compensation, the Petitioner has been directed to get the surviving member certificate for the said purpose.

3. It is stated that the Petitioner has filed an application but the said surviving member certificate is not being given to him.

4. Learned Counsel for the Respondent, who appears on advance notice, states that the Petitioner has given an application to the wrong authority. It is stated that the Petitioner has given the application to the SDM, Alipur whereas the application should be made to application on SDM, Kapasera.

5. The Petitioner is directed to make an appropriate application before the SDM, Kapasera within one week from today. On receipt of application, the SDM, Kapasera is directed to issue the certificate in accordance with law if the Petitioner is otherwise entitled to without any other objection, within three weeks from the filing of the application.

6. The writ petition is disposed of along with pending application(s), if any.

7. It is made clear that this Court has not made any observation on the merits of the case.

SUBRAMONIUM PRASAD, J

MAY 16, 2024

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