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

+ **W.P.(C) 15856/2024**

SMT. SHAKUN GAUTAM

.....Petitioner

Through: Mr. Zahid Hanief, Mr. Kamil Khan
and Ms. Sonu Lohia, Advocates.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Varun Singh, Ms. Somesh Gupta,
Mr. Ytharth Kr. and Mr. Himanshu Yadav,
Advocates for R-2.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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14.11.2024

1. This writ petition has been preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following reliefs:-

"a) Issue a writ, order, or direction in the nature of mandamus or any other writ, to direct the respondents to release payments' alongwith applicable accrued interest @ 12% of the death cum retirement benefits of Late Ms. Archana Gautam in favor of the Respondent nominee/mother Respondent deceased daughter.

b) Issue appropriate direction to respondents to take immediate and appropriate action to release payments' of the death cum retirement benefits of the deceased employee Late Ms. Archana Gautam died while in service and was posted as Scientist-C in the Respondent No.2 hereinabove."

2. As per the narrative in the writ petition, daughter of the Petitioner Ms. Archana Gautam, was appointed as Scientist 'B' with Bureau of Indian Standards/Respondent No. 2 on 01.03.2016 and was subsequently promoted as Scientist 'C'. Her marriage was solemnised on 23.11.2018 but she expired on 01.04.2023 while in service. Petitioner made a representation to Respondent No. 2 on 11.03.2024 to release the death-cum-retirement



benefits to the Petitioner as a nominee mother but no payment has been made so far and Petitioner has approached the Court for the aforementioned relief.

3. Issue notice.

4. Mr. Varun Singh, learned counsel accepts notice on behalf of Respondent No. 2.

5. In my view, since no decision has been taken so far by Respondent No. 2 with respect to disbursement of the death-cum-retirement benefits of late Ms. Archana Gautam, it would be appropriate at this stage to dispose of this writ petition, without going into the merits of the case, with a direction to Respondent No. 2 to consider the case of the Petitioner for grant of the benefits claimed in accordance with law and the applicable Rules on the subject of Respondent No. 2. Decision will be taken within eight weeks from the date of receipt of this order. In case the Petitioner is entitled to any dues, the same shall be disbursed expeditiously. In the event of the decision being otherwise, a reasoned and a speaking order shall be passed, which shall be communicated to the Petitioner, who will be at liberty to take recourse to legal remedies, if so advised.

6. Writ petition stands disposed of.

JYOTI SINGH, J

NOVEMBER 14, 2024/shivam