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

+ **CONT.CAS(C) 1334/2023**

PANCHA DEVI

.....Petitioner

Through: Mr. Chirayu Jain, Advocate.

versus

ARUN KUMAR JHA & ANR.

.....Respondents

Through: Mr. Aabhay Dixit, Advocate for R-1.

Ms. Rachita Garg and Mr. Agam

Rajput, Advocates for GNCTD.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

11.09.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Section 12 of the Contempt of Courts Act seeks following prayers:-

“a) Hold Contemnor No. 1 in contempt for having deliberately not complied with the judgment and order dated 29.05.2023 in Nakul Burnwal v. Delhi Building and Other Construction Workers Welfare Board and Anr. WP (Civil) No. 6029/2022.

b) Initiate contempt proceedings and punish Contemnor No. 1 by the provisions of the Contempt of Courts Act, 1971 for deliberately and wilfully disobeying the judgment and order dated 29.05.2023.

c) Direct the Contemnor No. 1 to release death and funeral assistance as per Rules 277-279 of the Delhi Building and Other Construction Workers Rules, 2002 to the Petitioner;

d) Direct the Contemnor No. 1 to sanction family pension under Rule 283 of the Delhi Building and Other Construction Workers Rules, 2002 to the Petitioner.

e) Pass any other order or grant any other relief as it may deem fit.”

3. *Vide* judgment dated 29.05.2023 in W.P.(C) 6029/2022, following directions were passed by Coordinate Bench of this Court: -



“15. The present petition is covered by ***Dulari Devi (supra)***. Under these circumstances and keeping in mind the overall objective of the BOCW Act, Delhi (Right of Citizen to Time Bound Delivery of Services) Act, 2011 and also the order in ***Rajo (supra)***, it is directed that the applicable pension to the Petitioner shall be disbursed with interest at the rate of 6% w.e.f. 10th April, 2023, i.e., 45 days after the decision of this Court in ***Dulari Devi (supra)***, when the legal position was clarified. Let the authorized legal representative of the Petitioner appear before the Board on a date fixed by the Board in June, 2023. Upon verifying the documentation, the applicable pension be released within a month.

16. Considering the nature of this case, nominal costs of Rs. 2000/- are awarded in favour of the Petitioner.”

4. Compliance affidavit has been filed on behalf of respondent No.1, wherein it has been stated that the pensionary benefits have been released to the petitioner.
5. Learned counsel appearing on behalf of the petitioner confirms the aforesaid.
6. It is pointed out that petitioner's claim with respect to death and funeral benefits has since been declined by way of speaking order passed by the respondent. Let a copy of the said order be supplied to learned counsel for the petitioner.
7. In view of the above, learned counsel appearing on behalf of the petitioner does not wish to press the present petition with respect to prayers (a) and (b) and seeks liberty to initiate appropriate proceedings as permissible in law with respect to prayers (c) and (d) before the Court of competent jurisdiction/authority.
8. Leave and liberty granted.
9. Petition is disposed of as not pressed.



10. Pending application(s), if any, also stand disposed of.

SEPTEMBER 11, 2025/sn

AMIT SHARMA, J