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

+ **CONT.CAS(C) 1928/2023 & CM APPL. 12569/2024**

MS DIVINE @ DIKSHA & ORS.Petitioners

Through: Appearance not given.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Ravi Prakash, CGSC/Senior Advocate with Ms. Astu Khandelwal, GP.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

07.11.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Sections 11/12 of the Contempt of Court Act seeks following prayers:-

“a) Initiated contempt proceedings against all the Respondents/contemnors for wilfully and deliberately disobeying the judgment dated 03.09.2019 of this Hon'ble Court passed in Writ Petition No. (Civil) 7559/2018.

b) Direct the Respondents/Contemnors to comply with the Order dated 03.09.2019, further, the respondent/ contemnor No. 4 may kindly be directed to refund the pension to the petitioner as per order passed by this Hon'ble Court in Writ Petition (Civil) No.7559/2018 in letter and spirit forthwith;

c) Award exemplary punishment to the Respondents/ Contemnors and award compensation to the petitioner no. 1 to 3 for deliberate and intentional non-compliance of the direction/order, and for wilful and deliberate disobedience and violation of, the Order dated 03.09.2019 passed by this Hon'ble Court in Writ Petition (Civil) No.7559/2018;

d) Direct that the Respondents/ Alleged Contemnors shall be personally present in the court hearings in case this Hon'ble Court decide to take cognizance of their contemptuous acts; and/or

e) To pass any other appropriate order(s) or direction(s) in favour of the



Petitioners which this Hon'ble Court may deem just and proper in the facts and circumstances of the case, in the interest of justice.”

3. Compliance affidavit dated 04.04.2024 on behalf of respondent nos. 1 to 3 has been filed, wherein it has been stated as under:-

“6. Accordingly, the PAD BSF has issued new Pension Payment Order for releasing Family Pension in favour of Miss Diwine (petitioner herein) vide their letter dated 02.04.2024, with information to the petitioner. For paying arrears of Family Pension for the period from 01.04.2019 to 31.03.2024 amounting to Rs. 13,11,801/-, Authority dated 02.04.2024 has also been issued by the PAD BSF, with information to the petitioner.

7. It is most respectfully submitted that accordingly, the Central Pension Accounting Office (CPAO) vide their Special Seal Authority dated 03.04.2024 has approached the concerned Bank to release Family Pension to Miss Diwine (petitioner herein) w.e.f. 01.04.2024 along with admissible Medical Allowance. Copy of the Special Seal Authority dated 03.04.2024 has also been endorsed to the Petitioner. Copy of Special Seal Authority dated 03.04.2024 Is annexed herewith and is marked as ANNEXURE A-5.

8. It is respectfully submitted that answering Respondents have taken effective steps in compliance with the directions passed by this Hon'ble Court and the solemn order of this Hon'ble Court has been complied with as mentioned above.”

4. Learned counsel appearing on behalf of the petitioner draws attention of this Court to a communication dated 03.04.2024 issued by the Central Pension Accounting Office, which records that family pension at the rate of Rs. 16,150/- with DA w.e.f. 01.04.2024 is released to petitioner no.1 till marriage or attaining the age of 25 years, whichever is earlier. It is pointed out that petitioner nos. 2 and 3, who are siblings of petitioner no. 1 and are also claiming the pension, have not been considered by the authority.

5. In view of the above, the said petitioners are at liberty to make appropriate representation to disburse the family pension to them, upon the



petitioner no. 1, *i.e.*, Ms. Divine @ Diksha, becoming ineligible to receive the family pension. Needless to state that on such an application being moved before the concerned Competent Authority, the same shall be decided in accordance with law under due intimation to the parties concerned, by providing an opportunity for hearing.

6. With the aforesaid directions, the present petition is disposed of.

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

AMIT SHARMA, J

NOVEMBER 07, 2025/sn/db