



2025:DHC:10068-DB



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

Date of decision: 13.11.2025

+ **W.P.(C) 17199/2025, CM APPLs. 70745-48/2025.**

MUNICIPAL CORPORATION OF DELHI

.....Petitioner

Through: Ms. Cauveri Birbal, Ms.
Nishtha Dhall, Mr. Kamlendu
Pandey, Ms. Preksha, Advs.

versus

KAMLESH

.....Respondent

Through: Mr. Vinod Dahiya, Ms.
Vandana Dahiya, Ms. Khushi
Dahiya, Ms. Shreya Garg, Mr.
Dhruv Khurana, Mr. Bhaskar
Dongwal, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed by the petitioner, challenging the Order dated 08.04.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. No. 3226 of 2024 titled *Kamlesh v. The Commissioner Municipal Corporation of Delhi*, whereby the learned Tribunal allowed the O.A. filed by the respondent herein, with the following directions:



“10. In view of what has been discussed herein above, the OA is disposed of, with a direction to the competent authority amongst the respondents to treat the applicant having D.O.B as 07.09.1961 and to process the family pension papers and release the same along with arrears and interest @ GPF rates within a period of 3 months from the date of release of a certified copy of this OA”

2. The learned counsel for the petitioner submits that, pursuant to the passing of the Impugned Order, the Punjab National Bank, which had been authorised to release the Pension/Family Pension to the employees of the MCD, has already released the Family Pension to the respondent.
3. The limited challenge of the petitioner is to the interest awarded by the learned Tribunal.
4. The learned counsel for the petitioner submits that as the work of releasing the Pension/Family Pension had been delegated to the bank, and the bank had withheld the release of Family Pension to the respondent due to a discrepancy in the date of birth of the respondent as recorded in the Aadhar Card, Pan Card and the Voter ID Card submitted by her, the petitioner cannot be saddled with the liability to pay interest.
5. We do not find any merit in the said contention of the learned counsel for the petitioner.
6. As the learned Tribunal has noted, the discrepancy in the date of birth in these documents cannot be a ground to withhold the release of the Family Pension, when the identity and marital status of the



2025:DHC:10068-DB



respondent, as the widow of the deceased employee, remained undisputed.

7. Family pension is not a bounty to be granted at the discretion of the authorities. Owing to such a discrepancy, the respondent was made to suffer not only a delay in the release of the Family Pension but also the agony of having to approach the Court/Tribunal for appropriate relief. The internal matter between the petitioner and its delegate bank cannot be a ground to deny appropriate relief to the respondent for the suffering caused to her.

8. Accordingly, we find no merit in the present petition. The same, along with the pending applications, is dismissed.

9. There shall be no order as to costs.

NAVIN CHAWLA, J

MADHU JAIN, J

NOVEMBER 13, 2025/prg/k/DG