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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1318/2025 & CM APPLs. 6507/2025, 6508/2025
& 6509/2025

KHADIJA AMBREEN & ORS.

.....Petitioners

Through: Ms. Supriya Malik, Advocate.

versus

DIRECTORATE OF EDUCATION & ORS.

.....Respondents

Through: Mr. Yeeshu Jain, with Ms. Jyoti Tyagi, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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26.03.2025

1. By an order dated 06.03.2025, it was recorded as follows:

"1. The petitioners No. 1 and 2 are the daughters of one Mr. Nasir Hussain, who was serving in the respondent-School as a Trained Graduate Teachers- Urdu since 01.07.2014. The petitioner No. 3 is their mother. The claim of the petitioners is that the marriage of the deceased and petitioner No. 3- Mrs. Maimuna took place on 04.11.1998. Although a purported deed of dissolution of marriage was executed by the deceased in the year 2014, the petitioners dispute its validity and legal effect. It is stated in the writ petition that the deceased purported to marry one Ms. Farhat Naaz on 28.08.2014. After the death of Mr. Nasir Hussain on 27.03.2024, the petitioners have been seeking release of his gratuity, pension, terminal dues, and other benefits to the petitioners and other legal heirs as per law.

2. Ms. Jyoti Tyagi, learned counsel for the respondents, who appears on advance notice, submits, upon instructions, that Ms. Farhat Naaz has not been impleaded as a party to the writ petition. She further submits that, in the service records of the deceased, he had entered the name of Ms. Farhat Naaz as his wife and nominated her to receive his service benefits. If that is so, learned counsel of the petitioner accepts that the petitioner would have to agitate their claims in duly constituted civil proceedings, impleading Ms. Farhat Naaz as a party.



3. The respondents are directed to file a short affidavit within one week, with the relevant documents, and serve a copy thereof to learned counsel for the petitioner in advance.

4. List in the category of “For Admission” matters on 26.03.2025.”

2. The Government of National Capital Territory of Delhi [“GNCTD”] has filed an affidavit today pursuant to the aforesaid order. A copy of the affidavit has been handed up in Court and is taken on record.

3. The affidavit states that, at the time of the death of Mr. Nasir Hussain, he had submitted nomination forms, in which Ms. Farhat Naaz was nominated for the purposes of receiving his provident fund amounts, death-cum-retirement gratuity, family pension, and for the benefits under the Central Government Employees Group Insurance Scheme. Copies of the relevant documents have also been placed on record.

4. Mr. Yeeshu Jain, learned counsel for GNCTD, also points out that the Deposit-Linked Insurance coverage and GPF amounts have already been released to Ms. Farhat Naaz.

5. In view of the above, Ms. Supriya Malik, learned counsel for the petitioners, submits that the petitioners may be granted liberty to institute appropriate proceedings in accordance with law, impleading Ms. Farhat Naaz as a party.

6. The writ petition, alongwith the pending applications, is disposed of with liberty as aforesaid.

7. It is made clear that this Court has made no observation on the merits of any proceedings which may be instituted by the petitioners.

PRATEEK JALAN, J

MARCH 26, 2025

‘Bhupi/JM’/