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

+ **W.P.(C) 7089/2026**

BIDYA DEVI

.....Petitioner

Through: Mr. Sajal Awasthi, Adv. for Mr.
Raghavendra Mohan Bajaj, Adv.
(Legal Aid Counsel)

versus

UNION OF INDIA & ANR.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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20.05.2026

CM APPL. 34739/2026-EXEMPTION

1. Exemption is granted, subject to all just exceptions.
2. The Applicant shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

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4. The Petitioner, a family pensioner and widow of a retired employee of the Department of Posts, has filed the present petition seeking a direction to the Respondents to sanction and disburse Fixed Medical Allowance¹ at the rate of Rs. 1,000/- per month, in lieu of Central Government Health Scheme² facilities, along with arrears from 1st February, 2015 and interest thereon. It is the case of the Petitioner that, being a CGHS beneficiary residing in an

¹ "FMA"

² "CGHS"



area where no CGHS dispensary is available near her place of residence, she is entitled to FMA in terms of the applicable Office Memoranda issued by the Government of India, but the same has not been released despite repeated representations.

5. At the outset, this Court has considered the maintainability of the present petition. The dispute raised in the petition pertains to pensionary/retiral benefits arising out of the service of a Central Government employee and ordinarily falls within the jurisdiction of the Central Administrative Tribunal under the Administrative Tribunals Act, 1985. Moreover, in view of the judgment of the Supreme Court in *L. Chandra Kumar v. Union of India & Ors.*,³ the Petitioner has an efficacious alternative remedy before the Tribunal, and therefore, the writ jurisdiction of this Court cannot be invoked at the first instance.

6. In view of the above, counsel for the Petitioner seeks leave to withdraw the present petition with liberty to approach the Central Administrative Tribunal, in accordance with law.

7. Leave and liberty as prayed for, are granted.

8. The Court has not commented on the merits of the case. All rights and contentions of the parties are left open.

9. Disposed of.

SANJEEV NARULA, J

MAY 20, 2026/alka

³ (1997) 3 SCC 261.