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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 12629/2024

SUPRIYA AND ORS

.....Petitioners

Through: Mr. Vinay Kumar Sharma, Mr. Prince, Mr. Aaditya, Ms. Navya Sharma and Ms. Rishu Singh, Adv.

versus

THE CHIEF OF THE AIR STAFF AND ORS.....Respondents

Through: Mr. Farman Ali, CGSC with Ms. Usha Jamnal, Adv. with Mr. Sgt Mritunjay, Mr. Sgt Padam Charan and Mr. Sgt Karani Singh Rathore, Indian Airforce Legal Cell, DAV, New Delhi.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

22.04.2026

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1. Through the present writ petition, the Petitioners pray as under :

“(a) Direct the Respondents to clear salary arrears to the Petitioner; and/or

(b) Direct the Respondents to provide the amount of gratuity to the Petitioner; and/or

(c) Direct the Respondents to provide the full pension benefits to the Petitioner; and/or

(d) Direct the Respondents to provide medical claim and health benefits, canteen card, health card to the Petitioner; and/or

(e) Direct the Respondents to provide the death benefits to the Petitioner; and/or

(f) Direct the Respondents to provide the provident fund to the Petitioner; and/or

(g) Direct the Respondents to provide the earned leave benefits to the Petitioner; and/or

(h) Direct the Respondents to provide compensatory job to the Petitioner; and/or

(i) Pass any such or further order as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and in the interest of justice.”

2. The Petitioners herein are respectively the widow and the minor



children of Late Shri Sujit Kumar, who was serving in Indian Air Force. He went missing in the year 2015.

3. In a suit filed by the Petitioners, he was declared to have died civil death. On the basis of that declaration, MCD issued Death Certificate and Petitioner No. 1 applied for release of benefits including arrears of salary, provident fund, death benefits, earned leave benefits, medical claims, health card, canteen card, full pension benefits, gratuity and provide compensatory job to Petitioner No. 1.

4. During the pendency of the present writ petition, the Respondents have released an amount of ₹13,12,080/-. The Petitioners are also being paid monthly pension at the rate of ₹30,415/-.

5. Learned counsel representing the Petitioners submits that the Petitioners have not been paid the entire dues and Petitioner No. 1's request for grant of compassionate appointment has not been considered.

6. Learned counsel representing the Respondents, on instructions, submits that the learned competent authority, after granting opportunity of hearing to Petitioner No. 1, may pass a speaking order considering the claims of Petitioner No. 1.

7. Keeping in view the aforesaid, the present writ petition is disposed of while directing Gp. Capt AV (A & N-DP) to pass a speaking order, after granting opportunity of hearing to Petitioner No. 1, within a period of one month from today.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

APRIL 22, 2026 / 'KDK'