

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No. 1723/2020

Today this the 20th day of November, 2020

Through video conferencing

Hon'ble Ms. Aradhana Johri, Member (A)

Suman
W/o Late Shri Manjeet Singh
C/o SH. Sheesh Pal, D- 248, Gali No. 5
Prem Nagar, Najafgarh, New Delhi

... Applicant

(By Advocate: Shri U Srivastava)

Versus

1. Govt. of NCT Delhi through the Chief Secretary,
Delhi Secretariat, New Delhi
2. The Secretary to Minister (Revenue),
O/o the Minister Revenue,
8th Level, Delhi Secretariat, IP Estate, New Delhi-02
3. The Dy. Commissioner-II (HQ) GNCTD
O/o Divisional Commissioner
Delhi Revenue Deptt. Relief Branch, 5- Sham Nath Marg
Delhi-54
4. The Chief Fire Officer, Delhi Fire Service,
Barakhamba Road, Connaught Place,
New Delhi

... Respondents

(By Advocate: Ms. Esha Mazumdar)

ORDER (ORAL)

The applicant has stated that she is wife of late Shri Manjeet Singh who was working with the respondents- Delhi Fire Service as Fire Operator and died in harness on



28.09.2016. He was declared a martyr and ex-gratia relief of Rs. 1 Crore was sanctioned of which Rs. 40 lacs was to go to the parents, if parents of the martyr were alive and Rs. 60 lacs to the widow, which is the position in this case, since the parents are alive. There is a restraint order of the Civil Court on release of terminal benefits. Despite that the respondents have released ex-gratia of Rs. 40 lacs to the parents of the deceased but have cited the restraint order of the Civil Court to not release the remaining Rs.60 lacs to the applicant. She has sought directions for release of said amount to her.

2. Ms Esha Mazumdar, learned counsel appearing on behalf of the respondents stated that the matter is a civil dispute in which there is a restraint from the Competent Civil Court. In the said circumstances, the balance Rs. 60 lacs cannot be released to the applicant. Accordingly, the representations of the applicant were rejected vide order no.1(58)/DC(HQ)/Relief/Ex-Gratia/2020/3276-3277 dated 30.09.2020.

3. After hearing learned counsels for both the parties, where there is full sympathy with the family members of a martyr who died in harness, but legally there is a restraint order of the Civil Court against which the remedy does not lie within the ambit of this Tribunal.



4. In light of this, this OA cannot be allowed and is disposed of accordingly. The applicant is at liberty to seek legal remedy in the appropriate legal forum. No order as to costs.

Mbt/neetu/

(Aradhana Johri)
Member (A)