



\$~9

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

+ **CONT.CAS(C) 1985/2025**

EX. CT. BIJENDER PAL SINGH

(DECEASED) THROUGH HIS LRS

.....Petitioner

Through: Ms. Hemlata Rawat, Mr. Abhay
Singh and Mr. Saurabh, Advocates.

versus

GOVIND MOHAN & ORS.

.....Respondents

Through: Mr. Rakesh Kumar, SPC with Mr.
Sunil, Advocate and Mr. Sarvesh P.
Shrivastava, GP and Insp. Sanjay
Kumar, CISF.
Mr. V.S. Rawat (AC/CISF) and HC
Nausad, CISF.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

%

24.12.2025

1. This hearing has been done through hybrid mode.

CM APPL. 82087/2025 (exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

CONT.CAS(C) 1985/2025

3. The present petition under Article 215 of the Constitution of India, 1950, read with Sections 2(b)/11/12 of the Contempt of Courts Act, 1971, seeks following prayers:-

“a) Initiate contempt proceedings against the Respondents for wilful disobedience of the judgment dated 01.07.2025 passed in W.P.(C) 2743/2008;



- b) Direct the Respondents to forthwith pass the consequential orders for implementation of the directions given by this Hon'ble Court in respect of grant of all the allowances to the legal heirs of the deceased charged official as would be payable to him;
- c) Direct the Respondents to forthwith release the arrears of 25% salary and other emoluments payable to the legal heirs of Late Ex. Constable Bijender Pal Singh from the date of dismissal till 12.05.2021 (death) or superannuation, whichever is earlier;
- d) Direct the Respondents to pay interest on delayed payment at such rate as this Hon'ble Court may deem fit;
- e) Punish the Respondents under Section 12 of the Contempt of Courts Act, 1971, for deliberate and wilful disobedience of the orders of this Hon'ble Court;
- f) Award exemplary costs to the Petitioners to compensate for harassment, delay, and denial of justice;"

4. *Vide* common judgment dated 01.07.2025 in W.P.(C) 7039/2007 and other connected petitions, learned Division Bench of this Court had passed the following directions:-

"93. Accordingly, we set aside the Impugned Order dated 04.05.2006 passed by the Disciplinary Authority, imposing the penalty of 'Dismissal from Service' and the Orders dated 19.09.2006 and 31.01.2008 passed by the Appellate Authority and the Revisional Authority, respectively, upholding the findings and penalty imposed by the Disciplinary Authority.

94. At this stage, it is important to note that during the pendency of the present appeal, the petitioner has expired on 12.05.2021. Subsequently, the Legal Heirs of the petitioner, being the wife, sons and mother of the petitioner, were impleaded vide Order dated 19.09.2022.

96. Following the principles of law as enunciated in the above decision, since the deceased petitioner cannot be reinstated, the Legal Heirs of the deceased petitioner are nonetheless entitled to the payment of arrears of 25% of the salary upto the date of the death of the petitioner or his superannuation, whichever is earlier, and other allowances that



would have been payable to him.

97. Accordingly, the consequential orders shall be passed by the respondents within a period of eight weeks.”

5. Issue notice.
6. Learned counsel appearing on behalf of the respondents accepts notice.
7. Let a compliance report be filed before the next date of hearing.
8. List on 24.03.2026.
9. In case of non-compliance, the concerned officer shall remain present in Court on the next date of hearing.

AMIT SHARMA, J

DECEMBER 24, 2025/sn/ns