

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CONT.PET.(C)No.168/2001 in W.P(Civil)No.652/1998

SHAKUNTLA DEVI

Petitioner (s)

VERSUS

KAMAL PANDAY & ANR.  
( With Office Report )

Respondent (s)

Date : 27/08/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.P. MISRA  
HON'BLE MR. JUSTICE U.C. BANERJEE

For Petitioner (s)

In-Person

For Respondent (s)

Mr. R.N.Trivedi, A.S.G.  
Mr. Hemant Sharma, Adv.  
Ms. Sushma Suri, Adv.

UPON hearing counsel the Court made the following  
O R D E R

L.....L.....I.....T.....T.....T.....T.....T.....T.....J  
.SP2

The contempt petition is dismissed in terms of  
the signed order.

.SP1

Anita

(V.P.Tyagi)  
Court Master

(Signed Order is placed on the file)

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.PL56

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

Contempt Petition (Civil) 168/2001@@  
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in

W.P. (C) 652/1998@@  
CCCCCCCCCCCCCCCC

Shakuntla Devi

...Petitioner

VERSUS

Kamal Pandey & Anr.

...Contemnor

O R D E R@@  
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.....L.....I.....T.....T.....T.....T.....T.....J  
.SP2

Heard learned counsel for the parties.

The High Court seems to have rejected the petition for the freedom fighters' pension made by the petitioner on the basis that Gopal Singh and Som Prakash Gir have been found to issue certificates indiscriminately. The rejection of the claim of the petitioner on this ground is not sustainable. Even if it is so, each case is to be examined on its own merits. Though this may give rise to examine the matter with caution. There may be some genuine case who may be entitled but rejection generally on this ground would prejudice such cases hence rejection cannot be sustained.

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- 2 -

Learned counsel for the respondent has submitted there is some minor contradiction regarding the period she was under detention. What minor contradiction is, may be examined while examining this matter on merits. Respondent to see what effect it would have on the claim. The matter may be examined from this angle. According to the certificate issued, the petitioner was in jail from 10th August, 1942 to 10th August, 1943. We direct the concerned respondent to reconsider the case of the petitioner and dispose it of within a period of six weeks from today. However, on the facts, we do not find that any contempt is made out.

The Contempt Petition is dismissed with the aforesaid observations.

.SP1

.....J.  
(A.P. MISRA)

New Delhi,  
August 27, 2001

.....J.  
(U.C. BANERJEE)