



2026:DHC:4506



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

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Date of Decision : 18.05.2026

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CONT.CAS(C) 892/2026

GOVINDE DEVI

.....Petitioner

Through: Mr. Abhay Kumar Bhargava and Mr.
Sanchit Kumar, Advs.

versus

GOVIND MOHAN & ORS.

.....Respondents

Through: Mr. Chetanya Puri, SPC, Ms. Vidhi
Gupta, Mr. Abhay Verma, Advs. and
Mr. Abhishek, Inspector, BSF.**CORAM:****HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (ORAL)**

1. The present petition alleges wilful disobedience of the directions contained in the order dated 21.01.2026, passed in W.P.(C) 14770/2025. The same reads as under:

"1. The present petition has been filed by the petitioner with the following prayers:

"i. Issue a writ of Mandamus or any other appropriate writ, order or direction thereby directing the respondents to release and extend family pension to the Petitioner in respect of her late husband's service in the Border Security Force, and to pay all arrears of such family pension together with interest at the rate of 9% per annum from 18.12.2009, i.e., the date of death of the Petitioner's husband. ii. Pass any other order in the interest of Justice."

2. In effect, the petitioner, wife of late Ishwari Dutt who was initially employed in Army and thereafter in Border Security Force (BSF) is claiming family pension pursuant to the death of her husband. We have been informed now that she is getting pension from the Army. Mr. Bhargava, learned counsel for the petitioner states that the grievance is primarily against the BSF who has stopped giving the family pension w.e.f. 18.12.2009 for the service put in by the deceased employee in BSF.



3. *Learned counsel for the respondents states that he has instructions to state that the petitioner is entitled to family pension from BSF w.e.f. 24.09.2012. He also states that the respondent/BSF is processing the payment of the family pension to the petitioner and the same shall be paid to her.*

4. *At this stage, Mr. Bhargava states that the ground on which the respondent BSF has limited the family pension w.e.f. 24.09.2012 is that the concerned Sub Rules 13A and 13B of Rule 54 of the Central Civil Services (Pension) Rules, 1972 [‘CCS Pension Rules’] which do not permit two pensions were deleted vide notification issued on 27.12.2012 and as per the clarification issued by the Department of Pensions & Pensioners’ Welfare [‘DOP&PW’] dated 23.05.2022, the benefit of the family pension shall be granted w.e.f. 24.09.2012. Mr. Bhargava states that the respondents having deleted the Sub Rules 13A and 13B, the benefit of family pension must relate back to 18.12.2009.*

5. *We have seen the prayer as made by the petitioner in this writ petition.*

6. *We find that there is no challenge to the OM dated 23.05.2022 limiting the family pension to 24.09.2012. So, by taking the submission made by the counsel for the respondents, that the respondents shall process the payment of the arrears of family pension to the petitioner w.e.f. 24.09.2012, and directing the same be paid within 12 weeks from today with interest of 6% p.a., which interest shall be limited to the arrears for the period of three years, prior to the filing of the writ petition, dispose of this petition.*

7. *In so far as the plea of Mr. Bhargava that the O.M. dated 23.05.2022 cannot limit the family pension to 24.09.2012 is concerned, suffice to state liberty shall be with the petitioner to challenge the said O.M. in accordance with law, if so advised.”*

2. Issue notice.
3. Learned counsel, as aforesaid, accepts notice on behalf of the respondents.
4. Learned counsel for the respondents submits that the aforesaid directions are in the process of being complied with, however, some additional time would be required to complete compliance.
5. After some hearing, it is assured and undertaken, on instructions, that



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necessary compliance and release of the requisite amount to the petitioner shall be done latest within a period of eight weeks from today. The said undertaking is taken on record.

6. It is made clear that any violation of the aforesaid undertaking shall be construed as wilful disobedience of the orders passed by this Court, entailing action under Section 2(b) read with Section 12 of the Contempt of Courts Act, 1971.

7. The petition is disposed of in the above terms.

SACHIN DATTA, J

MAY 18, 2026/cl