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**(2012) 11 DEL CK 0013**  
**In the Delhi High Court**  
**Case No : Writ Petition (C) 511 of 2000**

Din Dayal Yadav

APPELLANT

Vs

UOI and Others

RESPONDENT

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**Date of Decision :** 26-11-2012

**Acts Referred:**

**Citation :** (2012) 11 DEL CK 0013

**Hon'ble Judges :** Pradeep Nandrajog, J; Manmohan Singh, J

**Bench :** Division Bench

**Advocate :** H.S. Dahiya, for the Appellant; Ajay Verma, for the Respondent

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## Judgement

Pradeep Nandrajog, J.—After some arguments Learned Counsel for the petitioner on instructions from the petitioner states that he does not intend to press the writ petition on merits but would desire directions be issued to the competent authority of CISF to decide the petitioner's claim seeking compassionate allowance; which we note would be an amount not exceeding 2/3rd of the compensation pension. We note Rule 39 of the CCS Pension Rules deals with the subject of compensation pension and Rule 41 deals with the subject of compassionate allowance. We further note that compensation pension has no concern with pensionable service and is payable on discharge of a Government servant resulting from abolition of the permanent post and is payable with reference to the period of service which has been rendered.

2. Accordingly, we dispose of the writ petition directing the Competent Authority of CISF to consider petitioner's application seeking compassionate allowance which is payable even to a Government servant who is dismissed or removed from service but if the petitioner is able to make out a case deserving special consideration; which obviously would be the pecuniary distressed situation of the petitioner.

3. We would advise the petitioner that in his representation he should inform all the facts which would be relevant with reference to his pecuniary situation i.e.

the properties which he possesses, the number of children he has to support, aged parents if any and whether or not they are recipient of any old age pension.

4. We would commend to the Competent Authority of CISF to consider with compassion the said application which the petitioner would be filing claiming compassionate allowance.

5. The petitioner who is present in person has been explained the order by his counsel and it has been made known to him that the request seeking compassionate allowance should be submitted to the Director General (CISF), CISF Headquarters, 13 CGO Complex, New Delhi-110003, within six weeks.

6. Petition stands disposed of.

7. No costs. Signatures of the petitioner who has been identified by his counsel have been obtained on the order sheet for record.