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**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
T.A. No.357 of 2009
W.P.(C) No.4457 of 1997 of Delhi High Court**

IN THE MATTER OF:

Lt. Col. (TS) S.K. Malhotra**.....Petitioner**

VERSUS

Union of India & Ors.**.....Respondents****Dated: 16.10.2012**

Present: Mr. Karan Singh Bhati, counsel for the petitioner.

Mr. Ajai Bhalla, counsel for the respondents.

Learned counsel for the petitioner informs that in accordance with the order sheet dated 19.04.2012 the widow has made representation to Hon'ble the President for sympathetic consideration for family pension, which is said to be under process.

In that view of the matter, so far as the rights of the widow to get family pension are concerned, that would be considered therein and so far as the petition relating to challenge to the conviction and sentence of the individual is concerned, in view of the death of the individual that is dismissed as abated. It is clarified that this abatement will not come in the way of the petitioner in the Hon'ble President's considering the request for sympathetic consideration for grant of family pension.

**M.L. NAIDU
(Administrative Member)**

**N.P. GUPTA
(Judicial Member)**

Dated: 16.10.2012**rsk**