

COURT NO. 1, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

38.

MA 635/2023 IN OA 2691/2022

In the matter of :

Smt Devika Kumari Rai Widow Daughter of

L/Nk Bir Bahadur Rai (Retd)

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Shri Manoj Kr Gupta, Advocate

For Respondents : Shri Aseem Kumar Sahay, Advocate

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN C P MOHANTY, MEMBER (A)

O R D E R
23.08.2023

MA 635/2023

This is an application filed under Rule 25 of Armed Forces Tribunal, Procedure Rules, 2008 seeking modification of the order dated 29.11.2022.

2. The prayer made in this application is that though 2nd service pension for the service rendered by the father of the applicant in DSC has been granted but 2nd Family Pension to the applicant after the death of her father on 08.09.2016 has not been granted.

2. In view of the prayer made in the application and also on going through the record, we direct the respondents to issue a corrigendum PPO granting 2nd Family Pension to the applicant- Smt Devika Kumari Rai Widowed Daughter of L/Nk Bir Bahadur Rai (Retd) w.e.f. 08.09.2016.

3. The respondents are further directed to calculate and pay arrears of 2nd family pension to the applicant w.e.f. 08.09.2016 within a period of four months from the receipt of a copy of this order. In default the applicant will be entitled to interest @ 6% per annum.

5. This order shall be read in conjunction with the order dated 29.11.2022.

6. MA stands disposed of.

[RAJENDRA MENON]
CHAIRPERSON

[C. P. MOHANTY]
MEMBER (A)

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