

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

1.

OA 1434/2022

In the matter of :

Dr Sonia Sabarwal

D/o Late Wg Cdr Vijay Janmeja

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Shri Indra Sen Singh & Aditya Bari,
Advocate

For Respondents : Shri Anil Gautam, Sr CGSC,

CORAM :

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

O R D E R
10.07.2023

We had heard the matter and reserved it for judgment.

The issue pertains to claim made by the applicant for grant of maintenance to her after the death of her father who was an Air Force Officer. During the course of hearing of the matter, submissions were made on the basis of the material that came on record. However, while going through the records after hearing the parties, for pronouncing and preparing the judgment, we found that there was a matrimonial dispute between the applicant and the husband and the dispute was settled by way of a settlement before the family court under Section 13(b) of the Hindu Marriage Act. There were

references to various incomes being received by the applicant by way of rent and other sources and the income tax returns were not available on record. We therefore, directed the parties to file the copies of divorce petition, the settlement entered into and the decree and the other documents pertaining to income tax return etc. and are going through the same, we find that the entire scenario is different. We do not want to express anything at this stage. However, copies of the documents have been supplied to the parties and we give parties four weeks' time to file an additional affidavit to give their say on the picture that has not come after the documents are brought on record.

List the matter on **14.09.2023**.

**[RAJENDRA MENON]
CHAIRPERSON**

**[C P MOHANTY]
MEMBER (A)**

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