

**COURT No. 3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

8.

OA 1719/2018 with MA 1886/2018

In the matter of :

**Smt. Munni Devi W/o
Sep Late Awadhesh Kumar**

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Mr. Romil Pathak, Advocate

For Respondents : Mr. A.K. Gautam, Advocate for R-1 to 3.
Ms. Anjali Vohra, Advocate for R-4.

CORAM:

**HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)
HON'BLE VICE ADMIRAL P. MURUGESAN, MEMBER (A)**

**O R D E R
26.10.2018**

Heard on the point of admission.

Present OA has been filed by the applicant, who is the wife of Late Sep Avdhesh Kumar, claiming family pension along with other benefits. As per the impugned order dated 13.01.2018, the applicant was not granted the benefit of pension on the ground that her husband was declared as 'deserter' and, therefore, he was not entitled to pension and other pensionary benefits.

That being so, learned counsel for the applicant is directed to satisfy on the point in case the husband of the applicant being declared as a 'deserter' was not entitled to pension, whether the applicant can claim a better right than the deceased himself.

Learned counsel for the respondents submits that the applicant has to satisfy regarding the territorial jurisdiction of this Tribunal to entertain this OA. Hence, learned counsel for the applicant seeks time to satisfy on both counts.

On his request, re-list the matter on **7th February, 2019**.

[JUSTICE SUNITA GUPTA]
MEMBER (J)

[VICE ADMIRAL P. MURUGESAN]
MEMBER (A)

/ng/

O.A. No. 1719 of 2018 – 26.10.2018

