

**IN THE ARMED FORCES TRIBUNAL, PRINCIPAL BENCH
AT NEW DELHI**

O.A. No. 207/2010

Urmila GuptaApplicant

Versus

Union of IndiaRespondents

For applicant: Lt. Col. (Retd.) Naresh Ghai, Advocate.

For respondents: Sh. Ankur Chibber, Advocate.

CORAM:

**HON'BLE MR. JUSTICE A.K. MATHUR, CHAIRPERSON.
HON'BLE LT. GEN. M.L. NAIDU, MEMBER.**

**ORDER
12.08.2010**

1. Brief facts which are necessary for disposal of the present case are that applicant is the widow of late Maj. Suraj Mal Gupta who had put in 18 years unblemished service in the Territorial Army which is a part of regular Army but he was not granted pension. Husband of the applicant was commissioned on 18.02.1960 as 2nd Lieutenant and retired on 31.03.1978. Husband of the applicant died on 30.09.1996. Applicant has filed this application for grant of pensionary benefits which were denied to his husband in the light of decision given by this Tribunal in the case of Maj. S.D. Singh vs. Union of India (T.A. No. 46/2010).

2. Learned counsel for the applicant submits that applicant has been agitating this issue for the last so many years but without any result. Learned counsel for the applicant submits that the present case is covered by the decision given by this Bench in the case of Maj. S.D. Singh vs. Union of India (T.A. No. 46/2010) dated 19.02.2010.

3. Learned counsel for the respondents does not dispute that this case is not covered by the aforesaid judgment. Therefore, we allow this application in the light of aforesaid judgment. However, she will be entitled to arrears only three years preceding from the date of filing of the present application. Arrears shall carry interest @ 12% p.a. Whole exercise may be completed within a period of three months. No order as to costs.

A.K. MATHUR
(Chairperson)

M.L. Naidu
(Member)

New Delhi
August 12, 2010.