

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

17.

OA 957/2015 with MA 1453/2018 & 1912/2018

Ex Rfn Satender Kumar

... Applicant

Versus

Union of India & Ors.

...Respondents

For Applicant

: Mr. Naresh Ghai, Advocate

For Respondents

: Mr. Shyam Narayan, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

ORDER
14.02.2019

Counsel for the applicant submits that the details of family members of the deceased applicant are mentioned in the details of family as appearing at page no. 12. As per the Army Rules it is only the widow who is entitled for getting the benefits and therefore, it is submitted that the counsel for the applicant is unable to get N.O.C. from children, otherwise they will also be claiming the pension and other benefits. Counsel for the respondents, however, submits that as per the family details appearing at page no. 12 the deceased also had a daughter Kumari Sonam and in case she is un-married she is also entitled for share in the benefits. Counsel for the applicant submits that daughter has since been married; therefore, it is only the widow who is entitled to receive the benefits.

2. That being so, the M.A. 1453/2018 filed by the widow of the applicant is allowed and the widow of the applicant is substituted in place of the applicant.

3. M.A. accordingly stands disposed.

OA 957/2015

Amended Memo of Parties has already been filed. List for hearing on **22.08.2019**.

2. M.A.1912/2018 also stands disposed off.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN. PHILIP CAMPOSE)
MEMBER (A)