

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

26.

OA 1179/2017 with MA 2362/2018

Smt Padam Gurung alias Padam Kumari ... Applicant  
Versus  
Union of India & Ors. ... Respondents

For Applicant : Ms. Sangeeta Tomar, Advocate  
For Respondents : Mr. J S Rawat, Advocate

**CORAM:**

**HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)  
HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**24.01.2019**

**MA 2362/2018:**

Vide this application, learned counsel for the respondents seeks condonation of delay in filing counter affidavit. Learned counsel for the applicant has no objection.

2. In view of the averments made in the application, delay in filings the counter affidavit is condoned and counter affidavit is taken on record.

3. MA stands disposed off.

**OA 1179/2017:**

Learned counsel for the applicant submits that the applicant claims liberalized family pension. However, learned counsel for the respondents submits that in view of the circular dated 10.10.1987, since the applicant remarried outside the family, is not entitled for pension.

2. Learned counsel for the applicant refers to the circular dated 12.11.2008 wherein it is mentioned that the remarriage is no more the condition to prevent family pension. She further submits that averment is made in the counter affidavit that son of the deceased Late L/Nk Ran Bahadur Gurung is getting pension. She further submits that the deceased's father is no more and seeks liberty to move appropriate application, for impleading son of the deceased.

3. Learned counsel for the respondents seeks time to get hold of the circular dated 10.10.1987 and to find if there is further policy to grant pension to the widow on remarriage outside the family.

4. Relist on **07.05.2019**.

(JUSTICE SUNITA GUPTA)  
MEMBER (J)

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

24.01.2019/Sp