

**COURT No.2  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

**MA 2166/2024 with MA 3086/2024,4134/2024 &  
5371/2024 in OA 2058/2019**

**Sheetal @ Sabina Khatoon  
W/o Late L/Dfr Sayyed Hidaytullah & Ors. ... Applicant  
VERSUS  
Union of India and Ors. .... Respondents**

**For Applicant** : Mr. Adarsh Tiwari & Mr. Dhananjai  
Shekhawat, Advocates  
**For Respondents** : Mr. Shyam Narayan, Advocate for  
R 1-3  
None for R-4

**CORAM**

**HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)**

**BRIEF FACTS AS PER RECORD OF OA 2058/2019**

OA 2058/2019 disposed of vide order dated 07.02.2024, was filed by the applicant Sheetal alias Sabina Khatoon w/o Late L/Dfr Sayyed Hidaytullah and their two daughters Ms. Mahi and Ms. Mahira arrayed as applicant nos. 2 and 3 respectively with the following prayers:-

**“(a) Direct the respondents to grant proportionate family pension to the Applicants as they are legal heirs of the deceased Shri Saiyad Hidaytulla;  
(b) Direct the Respondents to grant 12% interest for the period from 21.01.2018 till payment on the amount of her dues;  
(c) Direct the Respondents to grant the benefits of Army Group Insurance of her late husband Sayyed Hidaytullah to be proportionally given to the Applicants;  
(d) Direct the Respondents to give a civil employment to the Applicants in the army since her late husband died in harness i.e. while in service;  
(e) Pass any other appropriate order(s) or directions(s) in favour of the Applicant which this Hon’ble Tribunal may deem just and proper in the facts and circumstances of the case, in the interest of justice.”**

2. The respondents arrayed initially to this OA were:-

*(i) UOI through Secretary, Ministry of Defence, South Block, New Delhi,*

*(ii) Chief of Army Staff, Military Secretary Branch, Army Head Quarter, DHQ PO, New Delhi-110001*

*(iii) OIC Records, RVC Records, PIN 90468, C/o 56 APO*

(iv) *The Director, Army Group Insurance Fund, AGI Bhawan, Rao Tula Ram Marg, Post Bag No. 14, PO Vasant Vihar, New Delhi-110057.*

3. Vide order dated 14.01.2020 in MA 101/2020, Respondent no. 5 i.e Smt. Mehrunnisha, the first wife of the deceased soldier and Respondent nos. 6 and 7 Master Rehaan Sayyed and Master Farhan Sayyed, sons of the deceased soldier with the first wife, Smt. Mehrunnisha were allowed to be impleaded as respondents no. 5-7.

4. The applicant nos. 2 and 3 Ms. Mahi and Ms. Mahira are the daughters of the applicant no. 1 Sheetal alias Sabina Khatoon and Late L/Dfr Sayyed Hidaytullah(since deceased).

5. As regards prayer(a) vide Para-39 of the order dated 07.02.2024 in OA 2058/2019 of this Tribunal, it was held as under:-

***“39. Thus, the applicant No. 1 has not been held entitled to the grant of the proportionate family pension in terms of the Regulations 71 and 333 of the Army, 1987 as observed thereby. Applicant no. 2, the elder daughter of the applicant no. 1 and Late L/Dfr Sayyed Hidaytullah is already in receipt of family pension as per the PPO No. 184202100138 placed on the record of***

*MA 3517/2023 that had been filed by the applicant during the course of hearing in OA 2058/2019.” (emphasis supplied)*

6. Vide Para-40 of the said order, it has been held to the effect that the entitlement of family pension to the applicant No. 3 Ms. Mahira is to be only in consonance with Regulation 71 of the Pension Regulations for the Army after the entitlement of applicant No. 2 for the same ceases.

7. Prayer(b) had not been pressed by the applicant. Qua Prayer(c) as had been submitted by the respondent no. 4 The Director, Army Group Insurance Fund, on receipt of the claim documents from the 1<sup>st</sup> wife Smt. Mehrun Saiyad, 12.8% share amounting to Rs. 5,12,000/- (Rupees five lakhs twelve thousand only) including late interest was paid to her vide Payment Authority Letter (PAL) No. RVC/IN/2275121 dated 02.03.2020.

8. It has been submitted vide an additional affidavit dated 26.07.2023 on behalf of the respondent no. 4 to the effect:-

*"5. As far as payment of remaining share/balance amount Rs 34,88,000/- (Rupees thirty four lakhs eighty eight thousand only) (87.2% share) is concerned, the Answering Respondent has distributed the same to the beneficiaries as per record received from the Records Office of the deceased and has invested in SSD Scheme of the Answering Respondent on 02 Mar 2020 in the following manner :-*

*(a) 13.55% share amounting to Rs 5,74,523 in the name of Master Mohd Rehan. (Son of the deceased). Copy of the Payment Authority Letter (PAL) No RVC/IN/2275123 dated 02 Mar 2020 is annexed and marked as Annexure A/2.*

*(b) 13.55% share amounting to Rs 5,74,523 in the name of Master Mohd Farhan (Son of the deceased). Copy of the Payment Authority Letter (PAL) No RVC/IN/2275125 dated 02 Mar 2020 is annexed and marked as Annexure A/3.*

*(c) 13.55% share amounting to Rs 5,74,523 in the name of Miss Mahi (Daughter of the deceased born to the Applicant). Copy of the Payment Authority Letter (PAL) No RVC/IN/2275127 dated 02 Mar 2020 is annexed and marked as Annexure A/4.*

*(d) 13.55% share amounting to Rs 5,74,523 in the name of Miss Mahira (Daughter of the deceased born to the Applicant). Copy of the Payment Authority Letter (PAL) No RVC/IN/ 2275129 dated 02 Mar 2020 is annexed and marked as Annexure A/5.*

*(e) 16.50% share amounting to Rs 6,60,000/- in the name of Mst Akhatar Banu (Mother of the deceased). Copy of the Payment Authority Letter (PAL) No RVC/IN/2275131 dated 02 Mar 2020 is annexed and marked as Annexure A/6.*

*(f) 16.50% share amounting to Rs 6,60,001/- in the name of Mr Faizulla Minya (Father of the deceased). Copy of the Payment Authority Letter (PAL) No RVC/IN/2275133 dated 02 Mar 2020 is annexed and marked as Annexure A/7."*

9. Vide Para-48 of the order dated 07.02.2024 in OA 2058/2019, it has been held by this Tribunal that the payment of the insurance benefits has been made by the Respondent no. 4 in accordance with AO/23 /2022/AGI as revised and that payment has been made to the extent paid to Respondent no. 5, 6 & 7 rightly distributed and has also been rightly deposited in the quantum of the shares and of the amount of the AGIF of the deceased soldier as has already been referred to hereinabove.

10. Vide order dated 07.02.2024, it was further directed vide Para-48 to the effect:-

“

***The amount to the children of the deceased soldier named Master Mohd Rehaan, Master Mohd Farhan, Ms. Mahi, Ms. Mahira is directed to be released to them after completion of the SSD period only after they attain majority. The shares of 16.50% in the name of Mst Akhatar Banu, Mother of the deceased and 16.50% in the name of Mr. Faizulla Minya, Father of the deceased are permitted to be released to the parents***

***of the deceased after completion of the SSD period.”***

11. As regards prayer(d) whereby the applicant had sought the grant of civil employment in the Army since her late husband died in harness whilst in service, the said prayer was disposed of the directions that it would be open to the applicant to make a representation in relation thereto, before the concerned competent authority which, if any, filed was directed to be disposed of within a period of six months from the date of receipt of the said application in accordance with law.

**MA 2166/2024 AND CONTENTIONS RAISED QUA THE SAME**

12. MA 2166/2024 was filed on 13.05.2024 after disposal of OA 2058/2019 by the applicants through applicant no. 1 i.e. Sheetal alias Sabina Khatoon w/o Late L/Dfr Sayyed Hidaytullah with the following prayers:-

***“(a) pass orders/directions to the Respondents to issue a CSD Card and ECHS Card to the Applicant No. 1.***

**(b) pass orders/directions to the Respondent no. 4 to release the Group Insurance benefits to Applicant no 2 and 3 with immediate effect.**

**(c) pass any such other(s)/direction(s), which this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case."**

13. On behalf of the respondent nos.1-3, it was submitted on 25.10.2024 and it has been reiterated again on 09.01.2025 to the effect that in the event of prayer(a) being not been pressed by the applicant, the respondent nos.1-3 do not oppose the prayer(b) and (c) made vide the present application MA 2166/2024. Counsel for the respondent no. 4, The Director, Army Group Insurance Fund has already submitted on 25.10.2024 that the Respondent does not oppose the prayer made by the applicant qua release of the Group Insurance benefits to the applicant nos. 2 & 3. Vide this application MA 2166/2024, the applicants have submitted that they are living in penury after the demise of the deceased soldier and that the minor children were not

receiving basic healthcare, education and other amenities for growth and healthy development.

14. It is submitted vide this application that the release of the insurance money only as directed vide Para-48 of the order dated 07.02.2024 in OA 2058/2019 to the daughters of the applicant no. 1 that is to applicant no. 2 Ms. Mahi and applicant no. 3 Ms. Mahira only after they attain the age of majority will cause grave prejudice to applicant nos. 2 & 3. The applicants thus seek that the Group Insurance money be released so that it can be utilized by the applicant nos. 2 and 3 to educate themselves and to acquire the needed skills and qualifications to pave way for sustainable careers for themselves in the future. The applicants submit that the release of funds upon the age of maturity i.e. 18 years of age to applicant nos. 2 and 3 would deprive them of their **right to education** and also to their **right to a dignified life** as the applicant no. 1 is unable to cater to their needs monetarily.

15. Vide MA 3086/2024 an affidavit dated 24.07.2024 was submitted by the applicant no. 1 in MA 2166/2024, inter alia stating that in terms of the order dated 07.02.2024 in OA 2058/2019, the family pension is being received into account no.82082200041630 in the Canara Bank Branch, PO-Tigaon, Ballabhgarh, Dist. Faridabad Tigaon, Haryana-121001 which is a joint account of Mahi MG Sheetal which is being operated by applicant no. 1 as the natural guardian and custodian of their person and property of the two minor daughters of the applicant no.1 who had been arrayed as applicant nos. 2 and 3 to the OA 2058/2019.

16. The applicants further submit that the applicant no. 1 has been recognized as the lawfully wedded second wife of the deceased soldier.

### **ANALYSIS**

**17. Vide order dated 07.02.2024 in OA 2058/2019, it has been observed by this Tribunal that the marriage between the applicant Sheetal alias Sabina Khatoon and**

**the late soldier L/Dfr Sayyed Hidaytullah(since deceased) cannot be said to be invalid merely because of its non-registration in terms of the notification no. F.1(12)/DC/MC/2014/4392 dated 24.01.2014 which notification did not even exist on the date of the second marriage of the applicant Sheetal alias Sabina Khatoon and the late soldier L/Dfr Sayyed Hidaytullah(since deceased) on 01.04.2009 and was valid in accordance with the Muslim law but the grant of benefits to her of family pension cannot be granted as observed vide Para-31 of the said order dated 07.02.2024 that she is not entitled to grant of any benefits in terms of Army Act, 1950 and the Regulations for the Army, 1987.**

18. The factum of the applicant nos. 2 and 3 ie. Ms. Mahi (date of birth 04.12.2010) and Ms. Mahira (date of birth 12.10.2017) as being the children of the applicant no. 1 and the late soldier L/Dfr Sayyed Hidaytullah is brought forth through averments in the counter affidavit dated 21.09.2019

of the respondent nos. 1-3 as already detailed in Para-8 of the order dated 07.02.2024 which reads to the effect:-

**“8. The respondents have further submitted to the effect that the deceased soldier has contracted plural marriage with Smt. Sheetal during the life time of his first wife Smt. Mehrun Saiyad and that as per Para. 333 of Regulations for the Army 1987 (Revised Edition), contracting plural marriage without prior sanction of Government of India is treated as void. Inter alia, the respondents have submitted to the effect that as per Note to Rule 71 of Pension Regulations for the Army-2008, children born out of a void marriage in terms of Section 11 of Hindu Marriage Act, 1955 shall be entitled to share of the ordinary family pension, if otherwise admissible, though their mother would not have been eligible for the same, had she been alive at the time of death of her husband, on account of her marriage being null and void. The respondents have further submitted to the effect that since the first wife and children of the second wife(born out of void marriage) are entitled to 50% share of family pension each, the RVC Records asked for the requisite documents from Smt. Mehrun Saiyad and from Smt. Sheetal for her children to process their claim to PCDA(P), Allahabad for grant of family pension and documents were received from Smt. Mehrun Saiyad, the first wife in all respects and the family pension claim for 50% share in her favour has**

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***been granted vide PCDA(P), Allahabad  
PPO No. 184201900163.”***

19. The applicant no. 1 vide her additional affidavit dated 24.07.2024 has submitted that she is the lawfully wedded second wife of the deceased soldier as per Muslim law and the applicant nos. 2 and 3 are the children born from the wedlock of the applicant no. 1 and the late soldier Late L/Dfr Sayyed Hidaytullah. The applicant no. 1 thus submits vide her additional affidavit dated 24.07.2024 that she is undoubtedly the sole guardian of the person and property of the two minor daughters Ms. Mahi and Ms. Mahira and thus no declaration is required to appoint the applicant no. 1 as the guardian of the person and property of the applicant nos 2 and 3.

20. Vide this additional affidavit dated 24.07.2024 vide Para-13 thereof, the applicant no. 1 has thus sought that the fixed deposit in respect of Ms. Mahi then aged 13 years, which is due on 04.12.2028 may be broken prematurely and

paid to the applicants to help them to sustain their living and to ensure appropriate education to the two minor daughters (i.e applicant nos. 2 and 3 to the OA 2058/2019). Vide the said additional affidavit, it has further been submitted that the fixed deposit payable to Miss Mahira may be retained by the Respondent no. 4 till 04.03.2030 to enable to applicants to fair amount of interest on the same.

21. The respondents nos.1-3 have vide their response dated 16.07.2024 to this application MA 2166/2024 submitted that the elder daughter Ms. Mahi is already in receipt of 50% of Family Pension vide PPO no. 184202100138 dated 24.03.2021 and as per policy both the daughters are entitled for ECHS facilities for health care and CSD Canteen facilities being the legal dependents of the deceased soldier and had already been advised to process their ECHS application online and that would be verified by the RVC Records on the same day and they have been advised to visit

their nearest CSD Canteen and apply for the CSD Canteen Smart Card.

22. The respondent nos.1-3 have further submitted that the applicant no. 1 is not entitled for Family Pension in view of her polygamous marriage to Late L/Dfr Sayyed Hidaytullah (since deceased) and that the applicant no. 3 would become eligible for pension only after disqualification of the applicant no. 2 Ms. Mahi for family pension that is when:

*(a) If she gets married.*

*Or*

*(b) If she starts earning equivalent to Rs. 9000/- plus existing rates of Dearness Allowance, whichever is earlier.*

**23. That the applicant no. 1 Sheetal alias Sabina Khatoon is the natural mother of applicant nos. 2 and 3 born from the wedlock of Sheetal alias Sabina Khatoon and Late L/Dfr Sayyed Hidaytullah(since deceased) is not**

**disputed by the respondents nos.1-4. That the bank account has been opened for the grant of family pension to Mahira @50% in the name of applicant no. 2 under guardianship of the applicant no. 1 is also not disputed.**

24. Vide an amendment made to the Guardians and Wards Act, 1890 by The Personal Law(Amendment) Bill, 2010. Section19(b) of the Guardians and Wards Act, 1890 thereof has been amended to read to the effect:-

***“19. Guardian not to be appointed by the Court in certain cases.-***

***(a)...***

***(b) of a minor, other than a married female, whose father or mother is living and is not, in the opinion of the court, unfit to be guardian of the person of the minor; or.]***

25. As has been observed hereinabove the applicant no. 1 is unrefutedly the natural mother of the applicant nos. 2 and 3. Vide judgment dated 17.02.1999 prior to the amendment to the Guardians and Wards Act, 1890 of the Hon'ble Supreme Court in WP(C) 489/1995 in the case of

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***Githa Hariharan(Ms) and Another vs. Reserve Bank of India and another***, (1999) 2 SCC 228, in the facts of which the RBI had refused to accept a deposit from the mother of a minor child to act as the natural guardian of the minor without a declaration that she was the natural guardian of the minor, where Section-6(a) of the Hindu Minority and Guardianship Act, 1956 as well as Section-19(a) of the erstwhile Guardians and Wards Act, 1890 relegated the mother of the minor to a inferior position on ground of sex alone since her right as a natural guardian of the minor was made cognizable only **'after'** the father, was held to be unconstitutional. It was observed by the Hon'ble Supreme Court vide paras-43 to 48 in ***Githa Hariharan***(Supra) to the effect:-

***"43. Turning attention on the principal contention as regards the constitutionality of the legislation, in particular Section 6 of the Act of 1956 it is to be noted that validity of a legislation is to be presumed and efforts should always be there on the part of the law courts in the matter of retention of the legislation in the statute book***

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**rather than scrapping it and it is only in the event of gross violation of constitutional sanctions that law courts would be within its jurisdiction to declare the legislative enactment to be an invalid piece of legislation and not otherwise and it is on this perspective that we may analyze the expressions used in section 6 in a slightly more greater detail. The word 'guardian' and the meaning attributed to it by the legislature under section 4(b) of the Act cannot be said to be restrictive in any way and thus the same would mean and include both the father and the mother and this is more so by reason of the meaning attributed to the word as "a person having the care of the person of a minor or his property or of both his person and property...". It is an axiomatic truth that both the mother and the father of a minor child are duty bound to take due care of the person and the property of their child and thus having due regard to the meaning attributed to the word 'guardian' both the parents ought to be treated as guardians of the minor. As a matter of fact the same was the situation as regards the law prior to the codification by the Act of 1956. The law therefore recognized that a minor has to be in the custody of the person who can sub-serve his welfare in the best possible way - the interest of the child being paramount consideration.**

**44. The expression 'natural guardian' has been defined in Section 4(c) as noticed above to mean any of the**

**guardians as mentioned in section 6 of the Act of 1956. This section refers to three classes of guardian's viz., father, mother and in the case of a married girl the husband. The father and mother therefore, are natural guardians in terms of the provisions of Section 6 read with Section 4(c). Incidentally it is to be noted that in the matter of interpretation of statute the same meaning ought to be attributed to the same word used by the statute as per the definition section. In the event, the word 'guardian' in the definition section means and implies both the parents, the same meaning ought to be attributed to the word appearing in section 6(a) and in that perspective mother's right to act as the guardian does not stand obliterated during the lifetime of the father and to read the same on the statute otherwise would tantamount to a violent departure from the legislative intent. Section 6(a) itself recognizes that both the father and the mother ought to be treated as natural guardians and the expression 'after' therefore shall have to be read and interpreted in a manner so as not to defeat the true intent of the legislature.**

**45. Be it noted further, that gender equality is one of the basic principles of our Constitution and in the event the word 'after' is to be read to mean a is qualification of a mother to act as a guardian during the lifetime of the father, the same would definitely run counter to the basic requirement of the constitutional mandate and would lead**

**to a differentiation between male and female. Normal rules of interpretation shall have to bow down to the requirement of the Constitution since the Constitution is supreme and the statute shall have to be in accordance therewith and not de hors the same. The father by reason of a dominant personality cannot be ascribed to have a preferential right over the mother in the matter of guardianship since both fall within the same category and in that view of the matter the word 'after' shall have to be interpreted in terms of the constitutional safe-guard and guarantee so as to give a proper and effective meaning to the words used.**

**46. In our opinion the word 'after' shall have to be given a meaning which would sub-serve the need of the situation viz., welfare of the minor and having due regard to the factum that law courts endeavor to retain the legislation rather than declaring it to be a void, we do feel it expedient to record that the word 'after' does not necessarily mean after the death of the father, on the contrary, it depicts an intent so as to ascribe the meaning thereto as 'in the absence of' - be it temporary or otherwise or total apathy of the father towards the child or even inability of the father by reason of ailment or otherwise and it is only in the event of such a meaning being ascribed to the word 'after' as used in Section 6 then and in that event the same would be in accordance with the intent of the legislation viz. welfare of the child.**

**47. In that view of the matter question of ascribing the literal meaning to the word 'after' in the context does not and cannot arise having due regard to the object of the statute, read with the constitutional guarantee of gender equality and to give a full play to the legislative intent, since any other interpretation would render the statute void and which situation in our view ought to be avoided.**

**48. In view of the above, the Writ Petition(C) No.489 of 1995 stands disposed of with a direction that Reserve Bank authorities are directed to formulate appropriate methodology in the light of the observations, as above, so as to meet the situation as called for in the contextual facts. ”**

Vide Para-49 of the said verdict, it was directed to the effect:-

**“49. Writ Petition(C) No.1016 of 1991 also stands disposed of in the light of the observations as recorded above and the matter pending before the District court, Delhi, as regards custody and guardianship of the minor child, shall be decided in accordance therewith.”**

26. Significantly, **WP(C) 1016/1991** detailed in Para-49 of the verdict of the Hon'ble Supreme Court related to the challenge to Section-19(b) of the Guardians and Wards

Act, 1890 as it then stood and Section-19(b) of the Guardians and Wards Act, 1890 after the verdict of the Hon'ble Supreme Court at the cost of necessary repetition reads to the effect:-

***“19. Guardian not to be appointed by the Court in certain cases.-***

***(a)...***

***(b) of a minor, other than a married female, whose father or mother is living and is not, in the opinion of the court, unfit to be guardian of the person of the minor; or.]”***

### **CONCLUSION**

27. In these circumstances, so that the minor children Ms. Mahi and Ms. Mahira, applicant nos. 2 and 3 of OA 2058/2019 are able to live with dignity, it is considered appropriate to allow the prayer made by the applicant no. 1 vide the application MA 2166/2024 read with additional affidavit dated 24.07.2024 to the extent that the amount of Rs. 5,74,523/- i.e. 13.55% share of the Insurance benefits deposited in the SSD scheme in the name of applicant no. 2 Ms. Mahi directed to be released vide order dated 07.02.2024

in OA 2058/2019(on her attaining majority) is allowed to be released to the applicant no. 2 Ms. Mahi under the guardianship of applicant no. 1 of amount of Rs. 5,74,523/- due on 04.12.2028 (with a maturity amount of Rs. 9,88,498/- as stated in the affidavit dated 31.05.2024 filed on behalf of Respondent no. 4 in MA 2166/2024) by the Canara Bank, AGI Bhawan, Vasant Vihar, New Delhi through her mother Sheetal @ Sabina Khatoon with interest accrued thereon as on the date of release even before Ms. Mahi attains the age of majority. The said amount is however to be deposited in the account of applicant no. 2 Ms. Mahi under the guardianship of her mother and is permitted to be deposited into the account number 82082200041630 in the Canara Bank, PO-Tigaon, Ballabgarh, Dist. Faridabad Tigaon, Haryana-121001, IFSC Code-CNRB0018208, MICR Code- 110015531.

28. The indemnity bond attested on 05.12.2024 filed on 06.12.2024 submitted with MA 5371/2024 as submitted by applicant no. 1 Sheetal alias Sabina Khatoon, mother of

Mahira in relation to the said insurance amount of Rs.5,74,523/- along with interest @6.25% from 04.05.2020 presently invested in the Canara Bank, AGI Bhawan, Vasant Vihar, New Delhi with maturity date 04.12.2028 is accepted and the applicant no. 1 shall be liable to indemnify anyone in the event of any claim made against the applicant no. 1 for this amount in view of para-5(a) submitted therewith which reads to the effect:-

***“5. Indemnification***

***The Indemnifier agrees to indemnify the Court, the Army Group Insurance Fund, and any other relevant authorities from any future claims or disputes related to the release and transfer of the funds.”***

29. As regards, prayer(a) made vide MA 2166/2024 that directions be issued to the respondents to issue a CSD Card and ECHS Card to the applicant no. 1 as prayed vide MA 2166/2024, the said prayer **in relation to the applicant no. 1 Sheetal alias Sabina Khatoon alone, cannot be granted,** in as much as her entitlements do not accrue even in relation to the grant of family pension in view of her polygamous

marriage with Late L/Dfr Sayyed Hidaytullah (since deceased) in terms of Regulations 77 and 333 of the Army, 1987.

30. As regards, the applicant nos. 2 and 3, the respondents vide their response dated 16.07.2024 vide Para-3 have stated to the effect:-

***“3. That in reply to Para 5 of subject O.A. it is humbly submitted that Miss Mahi (elder daughter) is in receipt of 50% of Family Pension vide PPO No. 184202100138 dated 24 Mar 2021 and as per policy both the daughters are entitled for ECHS facilities for health care and CSD Canteen facilities being the legal dependent of the deceased soldier. The applicant No. 2 and 3 have already been advised to process their ECHS application online and it is assured that it will be verified by the RVC Records on the same day. As regards, CSD Cards, the applicants have been advised to visit their nearest CSD Canteen and apply for the CSD Canteen Smart Card.”***

31. It is thus open to the applicant nos. 2 and 3 to OA 2058/2019 seek such redressal for issuance of the CSD Canteen Smart Card and to apply for the ECHS facilities for healthcare accordingly. The said facilities of the ECHS Card

and CSD card to applicant nos. 2 and 3 as they are both minors however till the time each of them attains majority has to be made effectively operational on their fulfilling all requisite formalities under the guardianship of applicant no.1. The MA 2166/2024 is disposed of accordingly.

32. All other pending applications are disposed of accordingly and call for no further action.

Pronounced in the open Court on the 6 day of February, 2025.

~~[REAR ADMIRAL DHIREN VIG]~~  
MEMBER (A)

[JUSTICE ANU MALHOTRA]  
MEMBER (J)

/TS/