

ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

63.

RA 10/2025 WITH MA 1293/2025 IN OA 1873/2017

Ex Rect. Chef Mess Ashok Kumar Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Indra Sen Singh, Advocate
For Respondents : Dr. Vijendra Singh Mahndiyan, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER
03.04.2025

RA 10/2025

Seeking invalid pension after death of her husband, namely, Late Ex Rect. Chef Mess Ashok Kumar, who was the applicant in OA No.1873/2017, this application has been filed through the applicant's widow, namely, Mrs. Veervati.

2. Late Ex Rect. Chef Mess Ashok Kumar, invoked the jurisdiction of this Tribunal in OA No.1873/2017 and challenged the action of the respondents in not granting him disability pension. The matter was considered and dismissed on merit by this Tribunal on 31.05.2023. Now, after the death of her husband, in the light of the law laid down by this Tribunal and the Regional Bench of this Tribunal in the case of Ex Rect Chhote Lal Vs. Union of India & Ors. (OA No.368/2021) and Lt. A.K. Thapa Vs. Union of

by the Hon'ble Delhi High Court and the Hon'ble High Court of Punjab and Haryana, the applicant herein claims invalid pension.

3. In our considered view, the issue of grant of invalid pension to the applicant's widow cannot be considered in this application. This is a fresh cause of action which accrues to the applicant's widow by virtue of the judgements of this Tribunal as detailed hereinabove and, therefore, this being a fresh cause of action, the applicant's widow herein should file a fresh application seeking the benefit of invalid pension.

4. Granting the aforesaid liberty to the applicant's widow, namely, Mrs. Veervati, the RA stands disposed of.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[LT GEN C.P. MOHANTY]
MEMBER (A)

Neha
RA 10/2025