

COURT NO. 1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

85.

RA 9/2026 with MA 1345/2026 in OA 1405/2018

Ms Surbhi Saxena Wd/O Lt Col Amit Saxena Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Suneet Kumar Pathak & Vaibhav
Chhabra, Advocate

For Respondents : Mr. Shyam Narayan, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

O R D E R
27.03.2026

RA No.9/2026

Having considered the submissions made with regard to modification of the Order passed by this Tribunal in OA No. 1405/2018 dated 31.05.2024 and enhancing the ex-gratia lump sum compensation to ₹35 lakhs, it is noted that in the original order the respondents were directed to grant ₹15 lakhs as ex-gratia lump sum compensation. However, a perusal of the memorandum dated 02.11.2016 issued by the Govt. of India, M/o Defence, D(Pay/Services), increasing the ex-gratia payment of lump sum compensation, shows that under Category 'C', in case of death occurring in border areas etc., as detailed herein, the ex-gratia lump sum compensation has been increased to ₹35 lakhs, and in

paragraph 2, the effective date of implementation of this policy is mentioned as 01.01.2016. In view of the said policy, which is applicable with effect from 01.01.2016, the applicant has sought modification of the aforesaid order.

2. Admittedly, the applicant's husband died after 01.01.2016, on 11.07.2016 and therefore, the applicant is entitled to the enhanced payment of ₹35 lakhs. The Application for review/modification is allowed and the direction to pay ex-gratia lump sum compensation of ₹15 lakh as indicated in paragraph 20 of the Order shall stand enhanced to and read as ₹ 35 lakhs, in view of the aforesaid reason.

3. Accordingly, the Application stands allowed and disposed in the aforesaid terms.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

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