

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, KOCHI**

O.A.NO.117 OF 2011

THURSDAY, THE 15TH DAY OF DECEMBER, 2011/24th AGRAHAYANA, 1933

CORAM:

HON'BLE MR. JUSTICE A.C.ARUMUGAPERUMAL ADITYAN, MEMBER (J)

HON'BLE LT.GEN.THOMAS MATHEW, PVSM, AVSM, MEMBER (A)

SAROJINI.K., AGED 58 YEARS ,  
W D/O E X.7071088 NAIK,  
N.K.KUNHAMBU OF INDIAN ARMY,  
SREESADAN, PERALASSERY,  
MUNDALLOOR AMSAM,  
KANNUR DISTRICT, KERALA.

**APPLICANT:**

BY ADV. SRI. V.K. SATHYANATHAN

**versus**

1. UNION OF INDIA, REPRESENTED BY ITS  
SECRETARY, MINISTRY OF DEFENCE,  
SOUTH BLOCK, NEW DELHI.

2. THE CHIEF OF THE ARMY STAFF,  
INTEGRATED HEADQUARTERS (ARMY),  
MINISTRY OF DEFENCE, SOUTH BLOCK,  
NEW DELHI – 110 011.

**RESPONDENTS:**

3. THE OFFICER IN CHARGE, RECORDS,  
EME RECORDS, SECUNDERABAD,  
ANDHRA PRADESH.

4. THE PRINCIPAL CONTROLLER OF DEFENCE ACCOUNTS(PENSIONS),  
OFFICE OF THE P.C.D.A.(P), DRAUPADIGHAT,  
ALLAHABAD, UTTARPRADESH.

**INTERIM ORDER**

**A.C.A. Adityan, Member (J):**

Heard the learned counsel appearing for the applicants. The application is for grant of dual family pension. According to the applicant,

her husband was receiving two pensions. After retiring from defence service he had joined in Industrial Training Department of Government of Kerala and he was receiving two pension till his death. But, the claim of the applicant for dual family pension was negated by the respondents which made the applicant to approach this Tribunal.

Admit. Notice returnable by 23-01-2012.

The applicant is directed to produce a certificate as to the effect that the re-employer of her husband, viz. Industrial Training Department of Government of Kerala, come under the purview of the Employees Pension Scheme 1995 or the Family Pension Scheme 1971 as per Notification No.1/19/96-P&PW(E) of the Government of India, Ministry of Personnel and Public Grievances and Pensions, Department of Pension and Pensioner's Welfare dated 27.7.2001 and 19.7.2002.

LT. GEN. THOMAS MATHEW,  
MEMBER (A)

JUSTICE A.C.A. ADITYAN,  
MEMBER (J)

DK.

ARMED FORCES TRIBUNAL,  
REGIONAL BENCH, KOCHI.

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**ORDER**

DATED: 15.12.2011