

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 810 of 2024

Smt. Raju Laxmi Debbarma

---Petitioner(s)

Versus

The Union of India and 5 Ors

---Respondent(s)

For Petitioner(s)	:	Mr. P Roy Barman, Sr. Advocate. Ms. S. Deb Barman, Advocate.
For Respondent(s)	:	Mr. B. Majumder, Deputy SGI.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Order

06.01.2025

Heard learned counsel for the parties.

[2] This is a petition under Article 226 of the Constitution of India for seeking the following relief(s):

- (i) *Issue Rule upon the Respondents to show cause as to why Writ in the nature shall not be issued whereby directing the respondents to grant family pension in favour of the petitioner upon death of Nitai Debbarma, holder of PPO No.240559313394, who died on 25.07.2024.*
- (ii) *Make the rules absolute,*
- (iii) *Call for records*
- (iv) *Pass any further order/orders as this Hon'ble High Court considered fit and proper.*

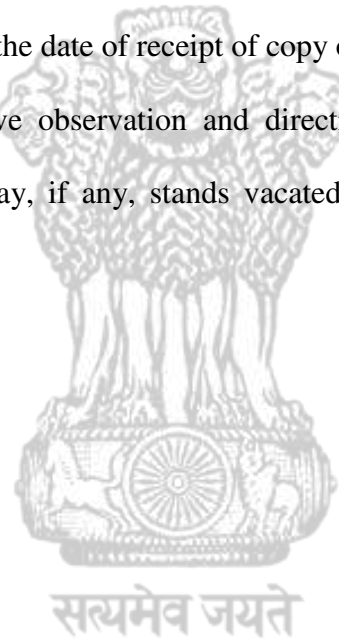
[3] It is the case of the petitioner that her husband Nitai Debbarma on 06.07.2009, made a written prayer to the Commandant, 8th Bn, BSF, C/o- 56 APO, to allow/make nomination in favour of Raju Laxmi Debbarma, i.e., the petitioner as his legally married wife. In that letter, he stated, that, on 21.04.1993, he voluntarily retired from service and he was allowed pension, vide PPO No. 240559313394, dated, 21.04.1993 and in the said PPO name of Dayamati Debbarma, is recorded as his wife. Unfortunately, his wife Dayamati Debbarma, died on 04.01.2008 at AGMC & GBP Hospital, Agartala. The Commandant, 8th Bn, BSF, by letter, dated, 23.01.2010 communicated to the Accounts Officer, PAD BSF (Pension Section-II), in respect to change of Nominee in PPO No. 240559313394, dated, 21.04.1993, in respect of Nitai Debbarma, No. 700079258, EX-NK (BSF). In that letter, it is also stated, that, Ex-Naik, Nitai Debbarma, has intimated, that, his wife Dayamati Debbarma, expired on

04.01.2008 and he has remarried Raju Laxmi Debbarma, on 10.06.2009 and he has requested to change the nominee in the PPO as Smt. Raju Laxmi Debbarma, instead of Smt. Dayamati Debbarma. He has also forwarded as many as 6 documents listed in the letter.

[4] Now the petitioner filed this instant petition seeking necessary direction upon the respondents to grant family pension in favour of the petitioner upon death of Nitai Debbarma, holder of PPo No.240559313394 who died on 25.07.2024. It is also contended by the counsel for the petitioner that a representation dated 19.09.2024 has already been made to the respondents but that has not been acted upon till date.

[5] In view of said submission, without expressing any opinion on the merits of the case, this present writ petition is disposed of directing the respondents to consider the case of the petitioner in the light of the representation dated 19.09.2024 in accordance with law within a period of two months from the date of receipt of copy of this order.

[6] With the above observation and direction, this present writ petition stands disposed of. As a sequel, stay, if any, stands vacated. Pending application(s), if any, also stands closed.



JUDGE

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