

RSA-571-2014

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2023:PHHC:062099

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-571-2014 (O&M)

Date of Decision :01.05.2023

Shiksha Rani

...Appellant

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ashish Aggarwal, Senior Advocate with
Mr. Karan Singla, Advocate for the appellant.

Mr. S.K. Sharma, Advocate for UOI-respondents No.1 to 3.

Mr. A.K. Walia, Advocate for respondent No.4.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the parties agrees that issue in hand is to be adjudicated by the Armed Force Tribunal as the same relates to the grant of pension to the family of a deceased employee, who was in the employment of Indian Army hence, the present regular second appeal is only maintainable for adjudication before the Armed Force Tribunal.

Keeping in view the above, appellant is at liberty to agitate her claim before the Armed Force Tribunal.

At this stage, learned counsel for the appellant submits that as in the present case, the pleadings are already complete and both the parties are also appearing before this Court, it would be appropriate that paper book of the present appeal be sent to the Armed Force Tribunal for proper adjudication of the claim raised by the appellant.

Learned counsel for the respondents raises no objection to the said prayer of the learned counsel for the appellant.

Keeping in view the above, it is directed that paper book of the present regular second appeal be sent to the Armed Force Tribunal Bench at Chandigarh for proper adjudication of the issue in hand.

Parties are directed to appear before the Armed Force Tribunal Bench at Chandigarh on 01.08.2023.

Interim order already passed by this Court will continue till the matter is listed before the Armed Force Tribunal Bench at Chandigarh. It will be up to the Tribunal to either vacate or continue the said interim order on the request of the respective parties.

May 01, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No