



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-9101-2024 (O&M)
Date of Decision:14.05.2024

PUSHPA RANI *Petitioner*
UNION OF INDIA AND OTHERS V/s.*Respondents*

CORAM: **HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA**
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present Mr. Ravi Badyal, Advocate for the petitioner.

 Ms. Bhavna Dutta, Senior Panel Counsel,
 for respondents No.1 to 5.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. The petitioner has filed this writ petition assailing the order dated 20.03.2024, passed by the Armed Forces Tribunal, Chandigarh, rejecting the claim set up by the petitioner for seeking family pension.
2. It is an admitted position that the petitioner’s husband had discharged w.e.f. 10.01.1967 at his own request. Thereafter, he got himself re-enrolled in the Defence Security Corps on 18.10.1967 but vide order dated 10.12.1980, he was dismissed from service after being declared as deserter. Later on, he expired on 25.11.2019.
3. The petitioner who is stated to be wife of the soldier also did not take up the matter during his life time and after he has expired, she is claiming family pension by filing application dated 15.06.2022. A person who has been dismissed from service is not entitled to any benefit of his service and he is denied all benefits which may ensue for the service which might have been rendered by him.



4. In view thereof, since the petitioner’s husband was not entitled to any retiral benefits, he having not been retired in normal course, the claim set up by the petitioner for retiral benefits, has rightly been rejected by the AFT, Chandigarh, vide order dated 20.03.2024.

5. In view of the above, no interference is warranted and the writ petition is accordingly dismissed.

6. All pending applications filed in this case shall stand disposed of accordingly.

[SANJEEV PRAKASH SHARMA]
JUDGE

May 14, 2024
Ess Kay

[SUDEEPTI SHARMA]
JUDGE

Whether speaking / reasoned	:	Yes	/	No
Whether Reportable	:	Yes	/	No