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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9501-2024 (O&M)

Date of Decision: 06.05.2024.

Shankutla Devi

...Petitioner

Vs.

Union of India and others

...Respondents

CORAM:

HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present

Mr. Ravi Badyal, Advocate for the petitioner.

Ms. Neha Jain, Advocate for the respondents.

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 suffered summary court martial and was dismissed from service which he did not challenge during his life time. The dismissal order was passed on 16.08.1990 and he died on 05.10.2016.
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 on 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 misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

06.05.2024.
rajesh

1. Whether speaking/reasoned? : Yes/No
2. Whether reportable? : Yes/No