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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CONT.CAS(C) 376/2024**

COURT ON ITS OWN MOTION

..... Petitioner

Through: Mr. Mahesh K. Mehta, Adv. with Mr.
Kamal Bora, in person.
M: 9312941668

versus

**UNION OF INDIA, THROUGH SECRETARY MINISTRY OF
DEFENCE AND ORS**

..... Respondents

Through: Major Anish Muralidhar
(M:9566199516)

**CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA**

**ORDER
31.05.2024**

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1. The present contempt petition was registered in view of the reference received from Principal Registrar, Armed Forces Tribunal, Principal Bench, West Block-VIII, Sector-1, R. K. Puram, New Delhi-110066.
2. The present contempt petition arises out of an order dated 07th February, 2024 passed in *MA/3406/2023* in *O.A. No. 197/2023* passed by the Bench comprising Chairperson of the Armed Forces Tribunal, Principal Bench, New Delhi.
3. By way of the said order, it had been directed that the applicant, i.e., wife of the deceased official, i.e., Late Sepoy Kedar Singh, was entitled for grant of Family Pension after death of her husband. Since the Family Pension had not been released to the wife of Late Sepoy Kedar Singh, the



present contempt petition has come to be registered.

4. Today, Major Anish Muralidhar, puts in appearance on behalf of the respondents and has handed over copy of the letter dated 10th May, 2024, that had been addressed to the wife of Late Sepoy Kedar Singh, wherein, she had been advised to provide all the documents with regard to Family Pension claim and forward the same through Zila Sainik Welfare Office. He has also handed over copy of the order dated 20th May, 2024 with respect to implementation of the letter dated 10th May, 2024 issued by the respondent authorities in compliance with the order dated 7th February, 2024 passed by the learned Armed Forces Tribunal in *OA No. 197/2023*. The aforesaid documents are taken on record.

5. Letter dated 10th May, 2024, reads as under:

*“Landline No: 080-29566002
080-29566003*

REGD BY POST.
*Sena Seva Corps Abhilekh
(Pashu Parivahan)
ASC Records (AT)
PIN: 900493
c/o 56 APO
10th May, 2024*

*Smt Leela Devi claiming widow
of Late Sep Kedar Singh
Vill: Kanra
PO: Chay Khan
Teh: Almora
Distt: Almora- 263625
State: Uttarakhand*

**GRANT OF FAMILY PENSION IN RESPECT OF SMT LEELA
DEVI WIDOW
OF LATE KEDAR SINGH**

1. In accordance with service documents in respect of your late husband, details of family members/dependents are as under:-

S/No	Name	Relationship	Date of Birth
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(a)	Leela Devi	Wife	21 Apr 1971
(b)	Mahender Singh	Son	20 Jun 1990
(c)	Kumari Uma	Daughter	14 Jan 1992
(d)	Kamal Singh	Son	06 Oct 1998

2. In view of the above, you are advised to prepare all documents as per the records held with this office and forward through Zila Sainik Welfare Office at the earliest. A set of family pension claim forms are forwarded herewith in triplicate for correct completion and early return duly attested by Zila Sainik Welfare Office. It should be ensured that there may not be any deviation in prescribed format of documents:-

- (a) Life Time Arrear (LTA) certificate.
- (b) Death, marriage and non re-marriage certificate duly signed by Gram Pradhan or Zila Sainik Welfare Office.
- (c). Bank details duly endorsed by bank manager.
- (d) Option certificate for medical allowances.
- (e) Descriptive Roll.
- (f) Family details as per format 'H' duly Incorporated date of birth, marital status etc.
- (g) Re-employment/Non re-employment certificate.
- (h) Non availing of ECHS facility certificate as applicable.
- (j) Income certificate duly signed by revenue authority.
- (k) Non employment certificate and non receipt of pension certificate.
- (I) Copy of Bank Passbook, Aadhar Card and PAN Card.
- (m) Copy of PPO under which your husband got pension.
- (n) Death certificate of deceased soldier.

3. You are advised to prepare all family pension documents either in Hindi or English language and forward to this office duly countersigned by Zila Sainik Welfare Office. Family pension claim can only be processed to PGDA (P) Allahabad on receipt of correct documents through Zila Sainik Welfare Office.

Lt
Asst Record Officer
for OIC Records

xxx xxx xxx”

6. Order dated 20th May, 2024, reads as under:

BY REGD SDS/ ASIGMA
ASC Records (AT)
PIN-900493
c/o 56 APO

(not legible)/KS/CC-796/LC



20th May, 2024

Legal Cell
HQ Delhi Area
Delhi Cantt-10

**IMPLEMENTATION OF THE HON'BLE AFT (RB), NEW
DELHI ORDER DATED 10 MAY 2023 PASSED IN OA NO
197/2023 FILED BY SMT LEELA DEVI WIDOW OF NO 6386767
LAT SEP KEDAR SINGH VS UOI AND OTHERS**

1. Please refer your HQ letter No. 3547/ 8523/ AFT/LC dated 02 Jun 2023 and _Jan 2023
2. CTC of IHQ of MoD (Army), Addl Dte Gen of Personnel Service PS-4 letter No._79100/5568/Q/ST-12/02/2024/AG/PS-4 dated 03 May 2024 (attached in duplicate) under which sanction has been accorded for grant of service pension to No.6386767 Ex Sep (Late) Kedar Singh wef 13 Mar 2003 to 14 Mar 2018 (i.e. till date of death) by condoning shortfall of 224 days in qualifying service thereafter family pension to Smt Leela Devi Widow of No. 6386767 Ex Sep (Late) Kedar Singh wef 15 Mar 2018 (i.e. wef date of death of her husband) in compliance of Tribunal order. The arrears of pension be paid to the petitioner wef 04 Jan 2020 as per Tribunal Order dated 10 May 2023.
3. On receipt of the ibid sanction, blank family pension claim documents have been fwd to the petitioner for completion and early return vide ASC Records (AT) letter No.6386767/FP/Pen/DAR dated 10 May 2024 (CTC attached). Claim for grant of FP will be processed on receipt of duly filled family pension documents from ibid petitioner.
4. In view of the above, you are requested to apprise the same before Hon'ble AFT (PB), HQ Delhi Area and get the case disposed of.

(Ram Parkash)
Lt Col
OIC Legal Cell
For OIC Records

xxx xxx xxx”

7. Learned official appearing for the respondents submits that the claim documents with respect to release of Family Pension are already with the Zila Sainik Board/Zila Sainik Kalyan and Punarvas Adhikari, Almora and the case for release of Family Pension to the applicant shall be processed



expeditiously. As soon as the wife of Late Sepoy Kedar Singh, submits the requisite documents with the Zila Sainik Board/Zila Sainik Kalyan and Punarvas Adhikari, Almora, the same shall be sent to ASC Records (AT), situated in Bengaluru, wherein, the service records of Late Sepoy Kedar Singh, are maintained.

8. At this stage, learned counsel for the wife of Late Sepoy Kedar Singh, submits that the requisite documents have already been deposited with the Zila Sainik Kalyan and Punarvas Adhikari, Almora.

9. Learned official for the respondent submits, that if that be the case, the Family Pension shall be disbursed to the wife of Late Sepoy Kedar Singh, upon completion of the aforesaid formalities.

10. Accordingly, it is directed that the Zila Sainik Board/Zila Sainik Kalyan and Punarvas Adhikari, Almora shall extend complete cooperation to the wife of Late Sepoy Kedar Singh, in submission of all the documents and fulfilling all the formalities.

11. It is further directed that upon fulfillment of all the formalities, the Family Pension shall be released to the wife of Late Sepoy Kedar Singh, expeditiously, preferably, within four weeks, thereafter.

12. Learned official for the respondents undertakes that the Family Pension to the wife of Late Sepoy Kedar Singh, shall be released at the earliest, upon fulfillment of all the formalities.

13. The aforesaid statement made by Major Anish Muralidhar, is taken on record.

14. Accordingly, the present petition is disposed of.



15. However, liberty is granted to the wife of Late Sepoy Kedar Singh, to revive the present proceedings, in case her grievance, still survives.

MINI PUSHKARNA, J

MAY 31, 2024

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