



2024:DHC:8210-DB



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

Date of decision: 21.10.2024

+ W.P.(C) 13352/2024

SMT. MURTI

.....Petitioner

Through: Appearance not given.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Shighra Kumar and Mr.
Anubhav Tyagi, Advs. with
Major Anish Muralidhar, Army.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (Oral)

1. This petition has been filed by the petitioner praying for a direction to the respondents to grant/release the maintenance, Canteen Stores Department (in short, 'CSD') Card, and Health Card facilities to the petitioner.

2. As far as the maintenance is concerned, pursuant to the Order dated 28.02.2023 passed by the learned Armed Forces Tribunal, Principal Bench, New Delhi (hereinafter referred to as, 'AFT') in TA 4/2023 titled *Smt. Murti vs. Union of India & Ors.*, admittedly, the respondents, *vide* Order dated 15.04.2024 have closed the claim of the petitioner for grant of maintenance stating that the petitioner has already been granted *interim* maintenance under Section 24 of the



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Hindu Marriage Act, 1955 by the Court of the Additional Principal Judge (Family Court), Assandh, Haryana *vide* Order dated 12.12.2023.

3. The petitioner, in the present petition, therefore, confines her prayer only for grant of the CSD Card and Health Card facilities.

4. The learned counsel for the petitioner submits that the learned AFT *vide* its Order dated 28.02.2023, has observed that except for the purpose of grant of maintenance, the other prayers, that is, the prayer for grant of the CSD Card and the Health Card facilities is beyond the jurisdiction of the learned AFT.

5. Without entering into the correctness of the above view, we direct the respondents to also consider the claim of the petitioner for the grant of the above-mentioned two facilities and pass a speaking order thereon within a period of eight weeks from today, communicating the same to the petitioner within the same period.

6. In case the petitioner is aggrieved of the decision taken by the respondents, it shall be open for the petitioner to challenge the same in accordance with law.

7. The petition is disposed of with the above directions and liberty to the petitioner.

NAVIN CHAWLA, J

SHALINDER KAUR, J

OCTOBER 21, 2024/ss/B/SJ

Click here to check corrigendum, if any