



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

111

CWP-37265-2025

Date of Decision : 19.12.2025

UNION OF INDIA AND OTHERS

.... PETITIONERS

V/S

SMT SHAKUNTALA DEVI AND ANOTHER RESPONDENTS

**CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present : Mr.Anil Kumar Sharma, Sr. Panel Counsel
for the petitioners.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the challenge is to the impugned order dated 20th August, 2019 passed by the Armed Forces Tribunal (for short, 'the Tribunal') by which, the Special Family Pension has been given to the widow of the deceased who was enrolled in the Army on 26.10.1993 and expire on 14.11.2000 by treating his death attributed/aggravated by the military service.

2. Learned counsel for the petitioners argues that the reason of the death of the officer concerned is neither attributable nor aggravated by the military service and therefore, the grant of Special Family Pension to the widow of the deceased by the Tribunal is not correct.

3. We have heard the learned counsel for the petitioners and have gone through the case file with his able assistance.

4. It may be noticed that after the death of the officer concerned, the court of enquiry was constituted by the petitioners in order to find out whether the death of the officer concerned is attributable/aggravated by the military service or not and concededly, in the said report, it has come that the death of the officer was held to be attributable/aggravated by the military service. Further, the said report has already been accepted by the Commanding Officer and the Brigade Commander. Once, the said fact has been conceded, that the death of the soldier was attributable to the military service, the grant of Special Family Pension in such circumstances, which is admissible according to the provisions of Regulation 213 of Pension Regulations for Army, 1961, by the Tribunal, cannot be treated as arbitrary or illegal or perverse to the facts or the rules governing the issue.

5. Once, the finding recorded by the Tribunal vide order dated 20th August, 2019 with regard to the grant of Special Family Pension in favour of the respondent has not been proved to be perverse either to the fact or the rule governing the issue, no ground is made out for any interference by this Court. Hence, the present petition is dismissed.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

19.12.2025

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Whether speaking/reasoned : Yes

Whether Reportable : No