



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

128

CWP-6969-2026

Date of Decision: 09.03.2026

UNION OF INDIA AND ORS

...Petitioners

Versus

SMT JASWINDER KAUR AND ANR

...Respondents

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

Present:- Mr. Narender Kumar Vashisht, Senior Panel Counsel,  
for the petitioners.

\*\*\*\*\*

**HARSIMRAN SINGH SETHI, J. (ORAL)**

1. In the present petition, the challenge is to the impugned order dated 22.04.2022 (Annexure P-1) passed by the Armed Forces Tribunal, Regional Bench, Chandigarh (hereinafter referred to as 'Tribunal'), by which, respondent No.1 has been allowed the benefit of Liberalized Family Pension instead of Special Family Pension from the next date of death of her husband i.e. from 03.04.2020.

2. We have heard the learned counsel for the petitioners and have gone through the record with his able assistance.

3. It is very unfortunate to note that after a period of approximately four years, the said order dated 22.04.2022 is being challenged and that too, where benefit of Liberalized Family pension has been granted to the spouse of an officer, who laid down his life while being in service. Rather than appreciating the conduct of the husband of



respondent No.1 in laying down the life while serving this country, respondent No.1 is being made to litigate in order to avail the benefit.

4. Further, a benefit granted four years ago by a competent Court of law is yet to be implemented. The benefit which has been given to respondent No.1 is of “Liberalized Family Pension” instead of “Special Family Pension”. The husband of respondent No.1 died while being on a *bona fide* military duty and while “tank biathlon competition trials” at Babina Field Firing Range were being conducted, wherein he had sustained a severe head injury on 01.04.2018, which resulted into his death on the very next day.

5. The Tribunal has held that the said death of husband of respondent No.1 is covered under the category E of the Government Policy dated 31.01.2001 so as to entitle her with the benefit of Liberalized Family Pension instead of Special Family Pension. The category E of the Government Policy dated 31.01.2001 is as under :-

*“Para 4.1 Category E    xxxx    xxxx*

*Category E*

*Death of disability arising as a result of:-*

*(a) to (e)    xxxx    xxxx*

*(f)    War like situations, including cases which are attributable to/aggravated by:-*

*(ii)    Battle    inoculation    training    exercises    or demonstration with live ammunition.*

6. Once the husband of respondent No.1 sustained injury in a ‘training exercise’ or ‘demonstration with live ammunition’, the finding recorded by the Tribunal that respondent No.1 will be entitled for Liberalized Family Pension instead of Special Family Pension cannot be



treated as perverse to the Government Policy dated 31.01.2001.

7. No other argument has been raised.
8. Hence, in the absence of any perversity being pointed out in the impugned order dated 22.04.2022 (Annexure P-1) passed by the learned Tribunal, either on the basis of the facts or the settled principle of law, no ground is made out for any interference by this Court in the facts and circumstances of the present case.
9. Accordingly, the writ petitions are dismissed.
10. It is made clear that in case, respondent No.1 is not granted the benefit of order dated 22.04.2022 (Annexure P-1) passed four years ago, within a period of 8 weeks from today, she will not only be entitled for interest upon the arrears but non-implementation of the said order will also incur action under the Contempt of Courts Act.

( HARSIMRAN SINGH SETHI )  
JUDGE

March 09, 2026  
harish

( VIKAS SURI )  
JUDGE

Whether speaking/reasonedYes  
Whether reportableNo