



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

211

CWP-17077-2025

Date of Decision: 06.03.2026

BALJEET KAUR

...Petitioner

Versus

UNION OF INDIA AND ORS

...Respondents

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

Present: Ms. Himani Anand, Advocate, for the petitioner.

Ms. Akshita Nanda, Advocate for
Mr. Parvesh K. Saini, Senior Panel Counsel,
for respondent Nos.1 and 3.

Mr. Akshay Kumar Goel, Advocate,
for respondent No.2.

Mr. Saurabh, Advocate for
Mr. Pratik Gachhau, Advocate, for respondent Nos.4 and 5.

HARSIMRAN SINGH SETHI, J. (ORAL)

1. In the present writ petition, the challenge is to the order dated 17.01.2025 (Annexure P-1) passed by the Armed Forces Tribunal, Regional Bench, Chandigarh (hereinafter referred to as 'the Tribunal'), by which, the claim raised by petitioner that on the basis of the Will executed by the late husband of the petitioner, she should be given the whole amount of the insurance rather than dividing the same between her and the mother of the deceased along with the son from the first wife of the deceased in the ratio of 50% to the petitioner and rest between others, has been rejected.

2. On being asked as to whether the Will, on the basis of which



the insurance amount is being exclusively claimed to exclusion of the legal heirs i.e., mother of the deceased and the son of the deceased from the first wife, has been proved or not or as per law, the learned counsel for the petitioner has not been able to show that the said Will has been proved except for contending that the Will so made was before the Army authorities and the genuineness of the same is to be upheld keeping in view the process undertaken to execute the Will.

3. We have heard learned counsel for the parties and have gone through the record with their able assistance.

4. Merely because the petitioner is under the impression that the process so undertaken while recording the Will is full proof is no ground to accept the same unless and until the Will is probated so as to prove its genuineness and claim the benefit emerging from same.

5. Further, as of now the amount of insurance which is under claim has already been released to the tune of 50% to the mother of the deceased, who has unfortunately already died as well as to the son from the first wife, who is retaining the amount, hence, the petition is disposed of with the observation that in case the petitioner is able to prove the genuineness of Will by getting the same probated by impleading all the necessary parties, she will be able to claim the whole amount of insurance, part of which has been awarded in favour of the son from the first wife.

6. Keeping in view the argument of the learned counsel for the petitioner that there are cases where the Army authorities have sometimes



released the whole amount of insurance in favour of the nominee which is the petitioner is in the present case, but in certain cases the objection are being taken when raised by the other legal heirs of the deceased officer, hence, a policy should be made with guidelines as to how the amount is to be released and to whom.

7. It goes without saying that if the Army authorities feel that the full proof method is to be laid down to be implemented in all the cases without being deviated, the Army authorities will be free to evolve such method, otherwise the law of succession is very clear on this aspect, which needs to be followed by the authorities.

8. With the above observations, the present petition is dismissed as no ground is made out for any interference by this Court in the impugned order dated 17.01.2025 (Annexure P-1) passed by the Tribunal being devoid of any perversity qua facts on record or evidence adduced.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

March 06, 2026
harish

Whether speaking/reasoned	Yes
Whether reportable	No