

Form No. 4

{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW
Court No. 2 (Ser No. 7)

Ex-A/200 of 2024 Inre O.A. No. 91 of 2020

Smt Aash Kumari Gurung
@ As Kumari W/o late Ram Bahadur Gurung Applicant
By Legal Practitioner for the Applicant : Shri BB Tripathi, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents: Shri Shyam Singh, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>24.03.2025</u> <u>Hon’ble Mr. Justice Anil Kumar, Member (J)</u> <u>Hon’ble Lt Gen Anil Puri, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri BB Tripathi, Ld. Counsel for the applicant is present in Court and Shri Shyam Singh, Ld. counsel for the respondents is present through virtual mode. ADG (PS) is also present through virtual mode.</p> <p>2. ADG (PS) appeared before the bench through virtual mode and personal affidavit of ADG (PS) Maj Gen Vijay Kumar Purohit has also been filed which is taken on record.</p> <p>3. Heard learned counsel for the parties and perused the record.</p> <p>4. This Execution Application has been filed for implementation of order dated 13.09.2021 passed in O.A. No. 91 of 2020 for grant of family pension to the applicant. This is a very old execution application pending before the bench.</p> <p>5. It is submitted in affidavit filed by ADG (PS) that the file was sent on 22.12.2021 to Line Directorate and after 38 months it was returned to PS4 on 24.02.2025 for issuance of Govt sanction/direction. After that the case file was submitted to PIFA for final concurrence on 10.03.2025. On 19.03.2025, the file was sent back to the PS4 stating that the applicant is not eligible for family pension.</p> <p>6. After finalisation of the case, the PIFA has no authority to state that the applicant is not entitled for family pension. If the respondents were not satisfied with the judgment, they should have approached before the appropriate forum against the order passed by this Tribunal.</p> <p>7. It is also stated in the affidavit that the case file has been forwarded for re-consideration of the case in light of reply of the observations of PIFA (Q&M) on 21.03.2025. This shows that cause of delay is only at the level of Line Directorate and PIFA.</p>

	<p>8. On request of learned counsel for the respondents, four weeks further time is allowed for filing affidavit of compliance on payment of additional cost of Rs 20,000/-.</p> <p>9. Concerned officer from Line Directorate and PIFA shall be present before this Tribunal through virtual mode on next date of listing to clarify the cause of delay in implementation of order of this Tribunal.</p> <p>10. Respondents are directed to deposit all the cost till next date of listing.</p> <p>11. List on 23.05.2025.</p> <p>12. Copy of this order be provided to learned counsel for the respondents/OIC Legal Cell who shall inform all concerned and take appropriate action for compliance. Copy of the order be also forwarded to the Secretary, Department of Ex-Servicemen Welfare for information.</p> <p>13 Personal appearance of ADG (PS) is exempted till further order.</p> <div><div><p>(Lt Gen Anil Puri) Member (A)</p><p><i>rathore</i></p></div><div><p>(Justice Anil Kumar) Member (J)</p></div></div>
--	---

