

Form No.21
[(SEE RULE 102(1))]

ARMED FORCES TRIBUNAL, KOLKATA BENCH

O.A.No. 02/2018

THE 24TH DAY OF JULY, 2024
No. 14627055-F Sanchita Biswas Applicant
-Vs-
Union of India & Ors. Respondents

Advocates present:

For the applicant,
Mr. Aniruddha Datta, Advocate

For the respondents,
Mr. Daya Shankar Mishra, Panel Counsel

CORAM:

HON'BLE MR. JUSTICE DHARAM CHAND CHAUDHARY, MEMBER (JUDICIAL)
HON'BLE LT GEN SHASHANK SHEKHAR MISHRA, MEMBER (ADMINISTRATIVE)

O R D E R (Oral)

JUSTICE DHARAM CHAND CHAUDHARY, MEMBER (JUDICIAL)

Heard.

(2) In this application following reliefs have been sought to be granted:

“That Sanjay Biswas Army No. 14627055F the husband of the applicant enrolled in Army in the year 1995 died while in service in the year 2008 at the age of 31 leaving behind him his parents, wife/applicant and 2 sons. For survival the Ex-gratia lumpsum amount was granted by respondent No.3 vide certificate dated 30th January, 2009 but to the reason best known to the said respondent he rejected the said grant vide letter dated 5th December, 2015. Hence, the applicant is filing this application to set aside the rejection order dated 29th April, 2024 and consider the appeal and/or representation filed by the applicant by releasing the ex-gratia lumpsum amount Rs.10,00,000/- (Rupees Ten Lakh only) with interest for which she is entitled in accordance with law.”

(3) Learned counsel on both sides submit that the ex-gratia amount in lumpsum to the tune of Rs. 10,00,000/- stand released in favour of the applicant and received by her vide PPO dated 03/06/2020. Learned counsel submits that the interest on the delayed payment may be ordered to be paid to the applicant. The prayer so made, however, is not inclined to, hence, rejected. Since the relief sought has already been granted, nothing survives in this application to be decided on merits. The same is, accordingly, dismissed as not pressed.

(4) Miscellaneous Application(s), if any, pending will also stand disposed of accordingly.


LT GEN SHASHANK SHEKHAR MISHRA
HON'BLE MEMBER(A)

JUSTICE DHARAM CHAND CHAUDHARY
HON'BLE MEMBER(J)

vr/-