

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)
No(s).24384/2009
(From the judgment and order dated 11.09.2009 passed by the
Armed Forces Tribunal, Principal Bench at New Delhi in
O.A.No.29/AFT/09)

TABASSUM PARVIN & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.
(With prayer for interim relief)

Respondent(s)

Date: 22/10/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr.S.R.Kal-Kal,Adv.
Mr.B.S.Mor, Adv.
for Mr. R.C. Kaushik,Adv.

For Respondent(s) Ms.Indira Jai Singh, ASG
Mrs.Indra Sawhney, Adv.
For Mrs Anil Katiyar,Adv.

Mr.Balasubramanian, Adv.
Mrs.V.Mohana, Adv.

UPON hearing counsel the Court made the following
O R D E R

Learned counsel for the petitioner has drawn our attention to clause 5(a) of the Pension Regulations for the Army, 1961, according to which "In special circumstances specified hereunder, the competent authority may withhold, suspend or discontinue in full or in part the pension (including commuted value thereof which has not been paid),

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children's allowance or gratuity (including Retirement Gratuity) to be granted or granted to an individual. In exceptional cases payment of part or whole of the pension, allowance or gratuity withheld or suspended may by order of the President, be made to the wife or other dependent(s) of the pensioner."

Learned ASG prays for some time to take instructions.

Three weeks' time is granted for this purpose.

Respondent no.5 is permitted to file the counter affidavit and additional documents in the meanwhile.

List after three weeks.

(G.V.Ramana)
Court Master

(Neeru Bala Vij)
Court Master