

**COURT No.3, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

28

OA 1009/2015

With MA 969/2015

Maj Indra Chand (Retd)

..... Petitioner

Versus

Union of India & Ors.

..... Respondents

For petitioner : Mr.V.S.Kadian, Advocate

For respondents : Ms. Barkha Babbar, Advocate

CORAM:

HON'BLE MR. JUSTICE AMAR SARAN, MEMBER

HON'BLE LT. GEN. SANJIV LANGER, MEMBER

ORDER

17.03.2016

Learned counsel for the respondents has drawn our attention to para 5.4 & 5.5 of the counter affidavit filed by the respondents. In the said paragraph it has been admitted that para 14 & 15 of PRA (1961) and para 28 & 34 of PRA (2008) provides for grant of service pension to officers on completion of 15 years of qualifying service. However, it is mentioned that those provisions are applicable only to officers of Regular Army keeping in view the AFT's judgments in similar matters the case of the applicant has been referred to MoD to consider for grant of service pension to the applicant under Late Entrant Clause as an administrative decision. The MoD is directed to take a decision within three months, which must be brought on record by the next listing.

List the matter on **14.07.2016**.

**(AMAR SARAN)
MEMBER**

**(SANJIV LANGER)
MEMBER**