

**COURT NO. 1  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

120.

OA 629/2024 with MA 752/2024

Ex Sep Chandra Mohan Thakur ..... Applicant  
Versus  
Union of India & Ors. .... Respondents

For Applicant : Mr. Ved Prakash, Advocate with  
Applicant-in-person

For Respondents : Mr. S S Sinha, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON  
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

**ORDER**  
**20.11.2024**

In pursuance to the order passed on 16.10.2024, the applicant, Ex Sep Chandra Mohan Thakur, is present in person. We have considered his explanation and perused the documents brought on record and the prayer made in the application. The applicant had filed CWJC 9744/1999 before the High Judicature at Patna and in the said case the applicant had only claimed disability pension. When the writ petition was dismissed on 08.08.2000 by the High Court Judicature at Patna, the claim made by the applicant for disability was considered and it was rejected on merit. However, after the aforesaid proceedings came to an end on dismissal of writ petition by the Patna on 08.08.2000, the respondents came out with policy A-6 on 16.07.2020 for grant of invalid pension to Armed Forces Personnel who are invalided out from service before completing

10 years of qualifying service, the applicant now claims for invalid pension on the basis of aforesaid policy letter. It is brought on record by counsel for the applicant that the applicant has made both the prayers, i.e., claim for invalid pension so also the claim for disability pension. The claim for disability pension is, however, not maintainable in view of the dismissal of the writ petition by the Patna High Court and the counsel submits that he was not informed about dismissal of the writ petition and the applicant explains he was also not aware of the legal position with regard to taking further action in the matter and therefore he filed the petition.

2. Taking note of the aforesaid explanation and considering the fact that the right to claim invalid pension accrued to the applicant only in the year in which policy dated 16.07.2020 came into force, we accept the explanation of the applicant to consider his prayer for grant of invalid pension.

3. Arguments heard.

4. Reserved for orders.

**[JUSTICE RAJENDRA MENON]  
CHAIRPERSON**

**[LT GEN C.P. MOHANTY]  
MEMBER (A)**

**Priya  
OA 629/2024**