

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

**8.**  
**OA 1937/2018**

**Ex Sgt sushil KUMar**  
**Versus**  
**Union of India & Ors.**

**... Applicant**  
**...Respondents**

**For Applicant** : Mr. V S Kadian, Advocate  
**For Respondents** : Mr. Ashok Chaitanya, Advocate

**CORAM:**  
**HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)**  
**HON'BLE VICE ADMIRAL P MURUGESAN, MEMBER (A)**

**ORDER**  
**20.12.2018**

By virtue of this application, the applicant claims disability pension.

2. Learned counsel for the respondents submits that the impugned order is the letter dated 15.10.2018, which was sent to the applicant in pursuance to his legal notice, informing him that he is not entitled to disability element of pension as per rules. He was further informed that in case he desires, he may submit appeal within six months. But the applicant has not preferred any appeal, instead, preferred the present OA. He specifically mentions that this OA be treated as representation.

3. Respondents may take necessary objections in their counter affidavit.

4. Heard. Admit.

5. Issue notice. Notice is accepted by learned counsel for the respondents, who seeks time to file reply.

6. Let reply be filed within four weeks' with advance copy to the applicant.
7. List before the Court of Principal registrar on **29.01.2019** for completion of pleadings.

**(JUSTICE SUNITA GUPTA)**  
**MEMBER (J)**

**(VICE ADMIRAL P MURUGESAN)**  
**MEMBER (A)**

20.12.2018/Sp