

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

1.

OA 1855/2017 with MA 1394/2017

Smt Santosh Cannon W/o Ex NC(E)

Late Yusuf Cannon

: Applicant

Versus

Union of India and Others

: Respondents

For Applicant

: Mr. Shiv, Advocate

For Respondents

: Mr Arvind Patel, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

ORDER

14.03.2018

1. This is an application filed by the applicant under Section 14 of AFT Act by Smt. Santosh Cannon, widow of Late Yusuf Cannon Ex NC(E) of the respondents for grant of pension from the date of discharge of her late husband. It has also been prayed that the applicant be also paid the arrears of pension from the date of discharge of her husband till date of filing of the application with interests @ 12%.

2. We have heard learned counsel for the applicant. We have also gone through the record. The facts of the case, in brief, are that husband of the applicant is purported to have joined Indian Air Force as a NC(E) on 12.03.1982 and was discharged from the service on 31.03.1987 on account of having earned four red ink entries. The husband of the applicant, after his discharge, has died on 10.03.2011. The widow of the soldier, after

almost six years of death of her husband, has filed the present application claiming that her husband ought to have been given the pension.

3. The contention of the learned counsel for the applicant is that although in Indian Air Force pension is payable to an employee on completion of 20 years of service, in Army the aforesaid pensionary benefits are given on completion of 15 years of service, therefore the husband of the applicant ought to have been given pension as, admittedly, he had completed 15 years of service before the date of his discharge. On these basis, it is contended that the applicant's husband was entitled to service pension and then on account of his death she should also be entitled to family pension. Along with the main application, an application has been filed seeking the condonation of delay wherein the quantum of delay has not been mentioned.

4. We feel that the application filed by the applicant is not only highly belated but also the fact that the applicant has been rightly communicated that she is not entitled to family pension on account of the fact that at the time of demise of her husband, deceased was not in receipt of service pension and therefore , no family pension could be paid to the applicant.

5. So far as the question of grant of pension to the deceased husband, after completion of 15 years of service is concerned, no doubt, prima facie, it seems to be conventional in case of Air Force where 20 years are to be

completed but then this ought to have been agitated by the deceased husband of the applicant during his life time i.e. between 1997 to 2011. Having chosen not to do so it cannot be raised by his widow after his demise. In addition to this there is another disability suffered by the applicant i.e. it is not a case of discharge simpliciter but he was discharged on account of having suffered four red ink entries and therefore, the discharge was punitive in nature.

6. Having regard to aforesaid facts we feel that the applicant i.e. widow of the deceased soldier has not been able to make out a, prima facie, case to entertain the application and accordingly, the same is dismissed of in limine.

(JUSTICE V.K. SHALI)
MEMBER (J)

(LT GEN SANJIV CHACHRA)
MEMBER (A)

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

2.

OA 274/2018 with MA 420/2018

Ex Sgt Shiv Ram Singh : **Applicant**

Versus

Union of India and Others : **Respondents**

For Applicant : Mr. VS Kadian, Advocate

For Respondents : Dr V S Mahndiyan, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

This is an application for broad banding the disability pension from 30% to 50% in terms of **UoI and Ors Vs Ram Avtar** CA No.418 of 2012 dated 10.12.2014 .

2. It is not in dispute that the applicant has been discharged from service on 31.07.2007 on completion of 20 years of service. During the service the applicant was detected with a disability, namely, "Primary Hypertension" in the month of December 2003 and was placed before a Release medical Board at the time of release from service in November 2006. The Board declared that the disability of the applicant is neither attributable nor aggravated by service and is constitutional in nature and not connected with service assessing @ 30%.

3. The applicant moved a representation before the Respondents and thereafter filed O.A. No. 3365/2012 before Armed Force Tribunal, Regional

Bench, Chandigarh and the Bench granted the applicant disability pension @ 30% from the date of his discharge i.e. w.e.f. 01.08.2007 and now he is getting disability pension @ 30% since 01.08.2007.

4. The applicant made representations on 04.04.2016 for grant of broad banding of disability from 30% to 50% and the respondents have rejected the same vide their letter dated 28.04.2016 being a normal discharge case and not invalidment. The respondents are directed to treat this application as first appeal and give the benefit of broad banding to the applicant in terms of UoI and Ors Vs Ram Avtar(supra) from the date of his retirement. Appropriate orders in this regard shall be passed within three months and communicated to the applicant. In case the applicant still feels aggrieved by the order having been so passed, he can come to this Tribunal.

5. O.A. stands disposed of.

(JUSTICE V.K. SHALI)
MEMBER (J)

(LT GEN SANJIV CHACHRA)
MEMBER (A)

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

3.

OA 403/2018

Capt Kewal Ram Bhati(Retd)

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

**: Mr. Adarsh Kr. Tiwari, proxy counsel for
Mr. Jaideep Singh, Advocate**

For Respondents

: Major Deepak, O/C, Legal Cell

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

1. Dismissed vide separate order.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

3.

OA 403/2018

Capt Kewal Ram Bhati(Retd)

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr. Adarsh Kr. Tiwari, proxy counsel for
Mr. Jaideep Singh, Advocate

For Respondents

: Major Deepak, O/C, Legal Cell

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

ORDER

14.03.2018

1. This is a case wherein a short service commissioned service officer has applied for grant of disability pension which was not granted to him when he was released from service in 1973.

2. The consideration of the facts of the case reveal that the applicant was commissioned in the Army as a short service officer and served from August 1967 to July 1973. As per his plea, he participated in Op Cactus-Lily, where he was wounded for which he was awarded the "Wound Medal". The applicant claims that when he was released from service on 3.7.1973, the Release Medical Board held at Command Hospital, Kolkata placed him in low medical category SH2(P) APE with perceptive deafness in both ears with an assessed of disability at 6 to 10% for life. It is admitted, fact of the applicant that he did not make any representation to the Government for his disability till 2012, when he realized that there were provisions for grant of such disabilities available to him.

3. In his representation to the Government, both directly and through the RTI, it was informed to him that since the service records of the applicant had already been weeded out as per provisions of Regulations for Army Para 619 (c), there are no records available to assess the representation of the officer. The applicant also has no record to prove his claim and the reply through the RTI (Annexure A-6) very clearly establishes that while his service period is well recorded, there is no information available on his medical disability as the service documents have already been weeded out by the concerned agency as per DSR Para 619(c).

4. Keeping in mind the long delay of almost over 40 years and the fact that no such records either of service or of medical documents are available to assess the veracity of the applicant's claim, we have no recourse but to dismiss the petition at the admission stage. It is dismissed accordingly on ground of limitation as well as on merits.

(JUSTICE V.K. SHALI)
MEMBER (J)

(LT GEN SANJIV CHACHRA)
MEMBER (A)

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

4.

OA 417/2018

Ex Hav Subash Chand Rana

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr. SC jaidwal, Advocate

For Respondents

: Mr Prabodh Kumar, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

1. This is an application seeking benefit of broad banding for grant of disability pension from 40% to 50%.

2. Since the applicant has not approached the respondents and thus, not availed alternate remedy, we direct the respondents to treat the present application as representation by the applicant and take a decision within a period of six weeks. The decision so taken shall be communicated to the applicant. In case, the applicant still feels aggrieved by the order having been so passed, he shall have remedies as may be available in law.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

5.

OA 538/2018

Maj Vishal

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Ms Garima Sachdeva, Adv

For Respondents

: Mr Harish V Shankar, Adv

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

ORDER

14.03.2018

The respondents to state on affidavit as to the reasons why 33 officers were only granted permanent commission and also the fact whether the ratio of 60:40 in terms of SOPs this was maintained by them.

2. Let the aforesaid affidavit be filed within six weeks with copy to the applicant. Rejoinder be filed within six weeks.

3. List on **25.04.2018**.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

6.

OA 539/2018

Col P Hiremath(Retd)

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr. SC Jaidwal, Advocate

For Respondents

: Mr Rakesh Kr Das, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

1. At the request of learned counsel for the applicant, list on
13.07.2018 on the question of jurisdiction.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

7.

OA 540/2018 with MA 389/2018

Ex Naik Inderjeet Singh

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr. Praveen Kumar, Advocate

For Respondents

: Major Deepak, O/I, Legal Cell

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

MA 389/2018

For the reasons carved out in the instant application and following the ratio of the judgment of the Hon'ble Supreme Court in Union of India and others v. Tarsem Singh (2009)(1) AISLJ 371), we hereby condone the delay of 12337 days in filing O.A.

2. M.A. is allowed as prayed for.

OA 540/2018

1. This is an application by virtue of which the applicant has claimed the broad-banding and disability component of the pension from 30% to 50%. The applicant had made a representation to the respondents for giving the benefit of rounding off. However, the same was rejected by the

respondents on 6.7.2017 stating the reason that since the applicant was not invalided out before completion of service and had been discharged from service on completion of tenure of service and therefore, he was not entitled for the benefit of rounding of disability pension. This Tribunal in terms of Hon'ble Supreme Court's judgement, in **UoI and Ors Vs Ram Avtar** CA No.418 of 2012 dated 10.12.2014, has repeatedly observed that no condition has been put for granting the benefit of rounding of like invalidment by the Hon'ble Apex court. Therefore, such a condition should not be put by the respondents.

2. The benefit of rounding of has to be given to the applicants/officials who are in receipt of disability pension in terms of Ram Avtar judgement from the date of retirement, alternately from the date to 1.1.1996 if they have retired before that.

3. Having regard to the afore said legal position, we feel the respondents are unnecessarily putting the applicants to great deal of harassment by sending intimation to them that as they have not been invalided out, they are not entitled to rounding of broad banding. We have already imposed cost in some cases for taking this unreasonable step.

4. Having regard to the above facts the applicant deserves to the benefit of disability pension w.e.f. 1.1.1996 onwards. The respondents shall take appropriate steps for obtaining sanction from the competent authority and get PPO amended. The arrears thereof, shall be paid to the applicant within a period of six months from the date having obtain the sanction failing which it shall carry an interest @ 8%.

2. With these directions the OA is disposed of.

(JUSTICE V.K. SHALI)
MEMBER (J)

(LT GEN SANJIV CHACHRA)
MEMBER (A)

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

8.

OA 541/2018 with MA 392/2018

Col(TS) P Sundareswaran(Retd) :Applicant

Versus

Union of India and Others :Respondents

For Applicant : Mr. VS Kadian, Advocate

For Respondents : Mr. V. Pattabhi Ram. Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

MA 392/2018

For the reasons carved out in the instant application and following the ratio of the judgment of the Hon'ble Supreme Court in Union of India and others v. Tarsem Singh (2009)(1) AISLJ 371), we hereby condone the delay of 665 days in filing O.A.

2. M.A. is allowed as prayed for.

OA 541/2018

1. This is an application by virtue of which the applicant is claiming disability pension. Learned counsel for the applicant has stated that after rejection of first appeal right of second appeal was available to him. However, he has not preferred the same.

2. Having regard to the submission made, we direct the respondent to treat the present application as second appeal and pass a speaking order

within three months from today. The order so passed shall be communicated to the applicant. In case, the applicant still feels aggrieved by the order having been so passed, he shall have remedies as may be available in law.

3. A copy of this order be given to learned counsel for parties dasti.

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(JUSTICE V.K. SHALI)

MEMBER (J)

(LT GEN SANJIV CHACHRA)

MEMBER (A)

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

9.

OA 543/2018

Cdr E P Pradeep(Retd)

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant : None

For Respondents : None

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

There is no appearance on behalf of applicant. In the interest of justice no adverse order is being passed today.

2. List on **17.04.2018**.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

10.

OA 544/2018 with MA 395/2018

Hav Kuldeep Singh(Retd) :Applicant

Versus

Union of India and Others :Respondents

For Applicant : : Ms. Jagriti Singh, proxy counsel for
Ms. Archana Ramesh, Advocate

For Respondents : None

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

1. A request for adjournment is made on behalf of proxy counsel for the counsel for the applicant.

2. List on **17.04.2018**.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

11.

OA 545/2018

Col S N Jha(Retd)

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr. Ajay Yadav, proxy counsel for
Mr. IS Singh, Advocate

For Respondents

: Major Deepak, O/C, Legal Cell

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

ORDER

14.03.2018

1. This is an application by virtue of which the applicant has challenged the order dated 1.1.2018 vide which the appeal of the applicant for grant of disability pension was rejected on technical ground being barred by time. The case of the applicant is that he joined the military service on 19.12.1981 and was released on 31.1.2009. Before demitting office the applicant was subjected to release medical board in the month of July, 2008 where he was found to be suffering from two disabilities namely DM-Type-2 and Primary Hypertension, both of which were cumulatively held to be 40% but the medical opinion was that both the diseases were neither attributable to nor aggravated by Military Service. It was further endorsed in the 'Reasons' column that on set of aforesaid disabilities was detected on 05.07.06 when the applicant was posted in Patna during a peace tenure and it was further stated that the applicant has been serving in peace area since 1993.

2. The contention of the learned counsel is that the endorsement made in the medical record to the effect that the applicant had been serving in peace area since 1993 is factually incorrect. He was posted in high altitude area for more than a year. Learned counsel of the applicant has drawn our attention to page 33 where it is categorically mentioned that between 5.7.97 to 1.9.98 the applicant was posted in Siachen Glacier, 102 Inf Bde/4 JAK RIF. Obviously, this would have made a difference in the assessment which has been recorded by the medical experts. This point seems to have been skipped.

3. The applicant has made first appeal on 19.12.2017 raising these very points, which have been rejected by the respondents, merely, on technical ground vide letter 1.1.2018. It has also been stated in the said letter that the claim of the applicant was rejected on 3.2.2009 also. He was also advised to prefer an appeal within six months from the date of receipt of rejection letter in the said letter dated 3.2.2009. However, the contention of the learned counsel of the applicant is that he did not receive this letter.

4. Even if this letter has not been received or the same would have been received by him also, it does not change the details of the posting of the applicant to which the competent authority was to apply its mind and atleast correct their record and see for themselves and the posting of the applicant in high altitude area would have been impacted the applicant as is recorded in the Release Medical Board report.

5. We feel that as the applicant has not preferred the second appeal, for the present the application can be disposed of by directing the respondents to treat the present application as a second appeal and deal

with the grievance of the applicant, especially, in the light of his alleged posting in the high altitude area and see as to whether the same would have made any change in the attributability/aggravation of the disability having been suffered by him and if so what would have been the percentage of the disability.

6. In view of the aforesaid facts, the application is treated as disposed of with direction to the respondents to treat the present application as second appeal and dispose of the same by passing a speaking order within a period of three months from today. The order so passed shall be reasoned order duly communicated to the applicant in writing. If the applicant still feels aggrieved, he can take such recourse as is available in law.

(JUSTICE V.K. SHALI)
MEMBER (J)

(LT GEN SANJIV CHACHRA)
MEMBER (A)

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

12.

OA 547/2018

Col Dinesh Kumarr Shah(Retd) :Applicant

Versus

Union of India and Others :Respondents

For Applicant : Mr. VS Kadian, Advocate

For Respondents : Mr. S.D. Windlesh, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

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At the request of advocate for the applicant, list on **13.04.2018**.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

13.

OA 548/2018

WO Man Mohan Nath Mishra :Applicant

Versus

Union of India and Others :Respondents

For Applicant : Mr. VS Kadian, Advocate

For Respondents : Sgt. Tatsat Shukla, Legal Cell

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

1. Issue notice to the respondents to show cause as to why the present OA may not be admitted.
2. Sgt. Tatsat Shukla, Legal Cell accepts notice who may file counter affidavit within six weeks with advance copy to the applicant who may file rejoinder, if any, within two weeks thereafter.
3. List on **13.07.2018**.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

14.

OA 549/2018

Lt Col Devbhankar Ravindra

Vasantrao(Retd)

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr. AS Puar, Advocate

For Respondents

: Mr K.K. Tyagi, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

Without going into the question of jurisdiction as the applicant is resident of Pune, respondents shall treat the present application as a representation by the applicant and dispose of the same giving benefit of **UoI and OrsVs Ram Avtar** CA No.418 of 2012 dated 10.12.2014 judgement and the full Bench judgement of this Tribunal. The decision so taken shall be communicated to the applicant on the address which has been provided. If the applicant still feels aggrieved, he can take such recourse as is available in law.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

15.

OA 550/2018

Ex ERA-II Brijesh Kumar(Retd) :Applicant

Versus

Union of India and Others :Respondents

For Applicant : Mr. AS Puar, Advocate

For Respondents : Mr,Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

Without going into the question of jurisdiction as the applicant is resident of Kanpur, respondents shall treat the present application as a representation by the applicant and dispose of the same giving benefit of **UoI and OrsVs Ram Avtar** CA No.418 of 2012 dated 10.12.2014 judgement and the full Bench judgement of this Tribunal. The decision so taken shall be communicated to the applicant on the address which has been provided. If the applicant still feels aggrieved, he can take such recourse as is available in law.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

16.

OA 551/2018

Ex Nk Satyapal

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr. VS Kadian, Advocate

For Respondents

: Major Deepak, O/C Legal Cell

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

ORDER

14.03.2018

1. The question which arise for consideration in the instant matter is whether the condonation of short fall can be given to the applicant in the instant case in the light of letter dated 20.6.2017 so as to get second pension or not.

2. Issue notice to the respondents to show cause as to why the present OA may not be admitted.

3. Major Deepak,O/C Legal Cell accepts notice. Let respondents file detailed reply enclosing all the circulars and policy letters with regard to the payment of pension of the DSC officers and the respondents shall also state in the affidavit reply as to whether the persons who have served in military for 15 years and are in receipt of one service pension are also

getting the second pension from the DSC on completion of their minimum required service of 15 years, within eight weeks, with advance copy to the applicant who may file rejoinder, if any, within two weeks thereafter.

4. List on **16.07.2018**.

(JUSTICE V.K. SHALI)
MEMBER (J)

(LT GEN SANJIV CHACHRA)
MEMBER (A)

.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

17.

OA 552/2018

Sgt(Retd) DP Rai

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Ms Jagrati Singh, Advocate

For Respondents

: Dr V S Mahndiyar, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

ORDER

14.03.2018

1. This is an application by virtue of which the applicant is claiming disability pension. Learned counsel for the applicant has stated that after rejection of first appeal right of second appeal was available to him. Since the time has lapsed he did not make the same. She further states that the respondents may be directed to treat this application as second appeal. Learned counsel for the respondent has no objection.

2. Having regard to the submission made, we direct the respondent to treat the present application as second appeal and pass a speaking order within three months from today. The order so passed shall be communicated to the applicant. In case, the applicant still feels aggrieved by the order having been so passed, he shall have remedies as may be available in law.

3. A copy of this order be given to learned counsel for parties dasti.

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(JUSTICE V.K. SHALI)
MEMBER (J)

(LT GEN SANJIV CHACHRA)
MEMBER (A)

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

18.

OA 553/2018

Col Deepak Kumar Agrawal :Applicant

Versus

Union of India and Others :Respondents

For Applicant : Mr. Rajiv Manglik, Advocate

For Respondents : Mr. Arvind Patel, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

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1. Issue notice to the respondents to show cause as to why the present OA may not be admitted.
2. Mr. Arvind Patel accepts notice who may file counter affidavit within eight weeks with advance copy to the applicant who may file rejoinder, if any, within two weeks thereafter.
3. List on. **17.07.2018.**

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

19.

OA 554/2018 with MA 406/2018

Ex LAC Sukhbir Singh Dabas :Applicant

Versus

Union of India and Others :Respondents

For Applicant : Mr. VS Kadian, Advocate

For Respondents : Sgt. Tatsat Shukla, Legal Cell

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

1. Issue notice to the respondents to show cause as to why the present OA may not be admitted.
2. Sgt. Tatsat Shukla, Legal Cell accepts notice who has raised an objection with regard to entertainability of the application on the ground that there is a delay of 41 years in filing the application. Respondents are free to take all such preliminary objections in their reply and question of delay shall be dealt with at the time of disposal of the OA.
3. List on **17.07.2018**.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

20.

OA 555/2018

Ex Nk Seth Pal Singh

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr. VS Kadian, Advocate

For Respondents

: Ms. Jyotsana Kaushik, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

ORDER

14.03.2018

1. Issue notice to the respondents to show cause as to why the present OA may not be admitted.
2. Ms. Jyotsana Kaushik accepts notice who may file counter affidavit within six weeks with advance copy to the applicant who may file rejoinder, if any, within two weeks thereafter.
3. List on **16.07.2018**.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

21.

OA 556/2018 with MA 405/2018

Ex Chela Ashok Kumar :Applicant

Versus

Union of India and Others :Respondents

For Applicant : Mr. VS Kadian, Advocate

For Respondents : Mr ,Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

1. This is an application by virtue of which the applicant has challenged the order dated 27.11.2015 vide which the appeal of the applicant for grant of disability pension was rejected. The case of the applicant is that he joined Indian Navy service on 03.01.1987 and was released on 31.7.2014. Before demitting office the applicant was subjected to release medical board in the month of March, 2014 where he was found to be suffering from Primary Hypertension held to be 30% for life but the medical opinion was that the diseases were neither attributable to nor aggravated by Military Service.

2. The claim for grant of disability pension was preferred and was rejected by Naval Pension Office vide their letter dated 31.07.2014. The applicant made first appeal on 27.02.2015 through Zila Sainik Board which was rejected by competent authority on 27.11.2015. He was also advised to prefer second appeal within six months from the date of receipt

of rejection letter in the said letter dated 27.11.2015. However, he did not prefer second appeal.

3. We feel that as the applicant has not preferred the second appeal, for the present the application can be disposed of by directing the respondents to treat the present application as a second appeal and deal with the grievance of the applicant,

4. In view of the aforesaid facts, the application is treated as disposed of with direction to the respondents to treat the present application as second appeal and dispose of the same by passing a speaking order within a period of three months from today. The order so passed shall be reasoned order duly communicated to the applicant in writing. If the applicant still feels aggrieved, he can take such recourse as is available in law.

(JUSTICE V.K. SHALI)
MEMBER (J)

(LT GEN SANJIV CHACHRA)
MEMBER (A)

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

22.

OA 558/2018

Ex Sub Sudama Mishra

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr. SC Jaidwal, Advocate

For Respondents

: Mr ,Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

ORDER

14.03.2018

This is an application for broad banding the disability pension from 30% to 50% in terms of **UoI and Ors Vs Ram Avtar** CA No.418 of 2012 dated 10.12.2014 .

2. It is not in dispute that the applicant has been discharged from service on 30.06.1999 on completion of his term with a disability namely "Fracture Medical Malleolus (RT) V-67" assessed @ 30% for five years on 01.07.2005. The disability of the applicant was re-assed on 16.03.2004 @ rate of 30% for life by the RSMB and the applicant is getting disability pension @ 30% since 01.07.2005.

3. The applicant made a representation to the respondents for broad banding his disability pension from 30% to 50% 17.04.2017 and the same was rejected by the respondents on 12.01.2018 giving the reason that the benefit of broad banding benefits are given to those personnel who

were invalided out from army service before completion of term of engagement.

4. The respondents are directed to treat this application as first appeal and give the benefit of broad banding to the applicant in terms of UoI and Ors Vs Ram Avtar(supra) from the date of his retirement. Appropriate orders in this regard shall be passed within three months and communicated to the applicant. In case the applicant still feels aggrieved by the order having been so passed, he can come to this Tribunal.

(JUSTICE V.K. SHALI)
MEMBER (J)

(LT GEN SANJIV CHACHRA)
MEMBER (A)

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

23.

OA 559/2018

Ex Nk Manicken K

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr. SC Jaidwal, Advocate

For Respondents

: Mr ,Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

ORDER

14.03.2018

This is an application for broad banding of the disability pension from 20% to 50% in terms of **UoI and OrsVs Ram Avtar** CA No.418 of 2012 dated 10.12.2014 .

2. It is not in dispute that the applicant has been discharged from service on 30.06.2005 on completion of his term with a disability namely "Fracture Shaft Femur (LT)(OPTD" assessed @ 20% for life w.e.f. 01.07.2005 and is getting pension since 01.07.2005.

3. Since the applicant made a representation to the respondents, and the same was rejected being a normal discharge case and not invalidment, the respondents are directed to treat this application as first appeal and give the benefit of broad banding to the applicant in terms of UoI and Ors Vs Ram Avtar(supra) from the date of his retirement. Appropriate orders in

this regard shall be passed within three months and communicated to the applicant. In case the applicant still feels aggrieved by the order having been so passed, he can come to this Tribunal.

(JUSTICE V.K. SHALI)
MEMBER (J)

(LT GEN SANJIV CHACHRA)
MEMBER (A)

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

24.

MA 1358/2017 in OA 1504/2016

No. 2892215K Ex Nk Jasbir

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant : Mr. J.P. Sharma, Advocate

For Respondents : Mr. Avdesh Kumar Singh, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

Learned counsel for the respondents has handed over a copy of sanction order issued pointing out that the amended PPO has already been initiated. We expect the respondents to issue the revised PPO within a period of eight weeks from today. A copy of the same is to be given to the applicant.

2. The applicant shall be free to revive the application in case the revised PPO is not received by him within eight weeks.

3. MA stands disposed of.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

25.

MA 403/2018 in OA 1661/2016

Ex Maj Dalip Raj Bhalla

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant : Mr. S.S. Pandey, Advocate

For Respondents : Mr. S.D. Windlesh, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

Learned counsel for the respondents seeks time to produce a copy of the speaking order purported to have been passed by the respondents in response to our order.

2. List on **7.5.2018**.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

26.

OA 80/2018

Ex Man Dalip Raj Bhalla

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr.S.S. Pandey, Advocate

For Respondents

: Mr. S.D. Windlesh, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

ORDER

14.03.2018

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**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

27.

OA 593/2015

Colonel Anand Swaroop :Applicant

Versus

Union of India and Others :Respondents

WITH

28.

OA(Appeal) 63/2018

Colonel Anand Swaroop :Applicant

Versus

Union of India and Others :Respondents

For Applicant : Mr.S.S. Pandey, Advocate

For Respondents : Gp. Capt. Karan Singh Bhati, Sr.
CGSC,Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

ORDER
14.03.2018

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(JUSTICE V.K. SHALI)
MEMBER (J)

(LT GEN SANJIV CHACHRA)
MEMBER (A)

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

29.

OA 19/2016

Col Puran Chand (Retd)

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr.S.S. Pandey, Advocate

For Respondents

: Mr. K.K. Tyagi, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

Time is sought to file rejoinder. Let the needful be done within four weeks.

2. List on 17.07.2018

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

30.

**RA 43/2016 with MA 599/2016,
MA 1049/2016 & 605/2017 in OA 653/2015**

**Union of India and Others :Applicants
V/s
Capt (Retd) Dheeraj Bhargava :Respondents**

For Applicant : Mr. Harish V. Shankar, Advocate
For Respondents : Mr.S.S. Pandey,Advocate

With

31

MA 402/2016 in OA 653/2015

**Capt (Retd) Dheeraj Bhargava :Applicant
V/s
UOI & Ors. :Respondents**

For Applicant : Mr. S.S. Pandey, Advocate
For Respondents : Mr.Harish V. Shankar,Advocate

CORAM:

**HON'BLE MR JUSTICE VK SHALI, MEMBER (J)
HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)**

**ORDER
14.03.2018**

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**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

32.

OA 475/2016

Ex Sub (Amb Asst)Ram Pratap

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr.S.S. Pandey, Advocate

For Respondents

: Mr. Mr. V. Pattabhi Ram,Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

Learned counsel for the respondents states that the record has not been brought by him. He seeks time.

2. List the matter for final disposal on **18.04.2018**.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

33.

OA 848/2016 with MA 648/2016

Ex Sep Kanwar Singh

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Ms. Archana Ramesh, Advocate

For Respondents

: Mr. Ashok Chaitanya, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

1. An adjournment slip has been circulated on behalf of learned counsel for the applicant.

2. At request list on **11.07.2018**.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

34.

OA 1040/2016

Virender Singh Yadav Ex CPOR(Tel) :Applicant

Versus

Union of India and Others :Respondents

For Applicant : Mr.Sukhjinder Singh, Advocate

For Respondents : Mr Avdesh Kumar Singh,Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

At the request of counsel for the respondents list on **19.07.2018.**

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

35.

OA 1426/2016

Col (Now Brig) Sunil Khosla

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr.Rajiv Manglik, Advocate

For Respondents

: Dr. Vijendra Singh Mahndiyan,
Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

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**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

36.

OA 303/2017 with MA 251/2017

Ex JWO Shyam Sunder Rai

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant : Mr. Praveen Kumar, Advocate

For Respondents : Dr. Vijendra Singh Mahndiyan, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

ORDER

14.03.2018

On instructions learned counsel for the respondents states that the applicant can still appear in Medical Board Section of Base Hospital on 20.03.2018 at 11.00 A.M. for the purpose of conducting preliminaries to the medical examination of the applicant. The respondents shall also depute an official from their department who shall also help the applicant at the Base Hospital in completion of preliminaries, so that the medical examination is conducted.

2. After the preliminaries have been conducted the respondents shall intimate in writing to the applicant specifying the date, time and where he is to appear for the purpose of medical assessment by Appellate Medical Board.

3. List on **19.07.2018. Dasti.**

(JUSTICE V.K. SHALI)
MEMBER (J)

(LT GEN SANJIV CHACHRA)
MEMBER (A)

14.03.2018/_{sudha}

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

37.

OA 419/2017 with MA 350/2017

Col Arun Mukherjee (Retd)

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant : None

For Respondents : Mr Tuhin, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

No appearance despite second call. The application is dismissed for non prosecution.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

38.

OA 1074/2017 with MA 422/2018

Sudesh Kumari

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr. R.K. Rastogi, Advocate

For Respondents

: Major Deepak, Officer I/C, Legal Cell

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

Copy of the affidavit has been supplied to the Officer I/C, Legal Cell. He has sought time to verify contents of the affidavit. Let the needful be given within a period of four weeks from today.

2. List on **03.05.2018**.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

39.

OA 1200/2017

Ex Cpl Kamal Singh

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr.K.S. Kadian, Advocate

For Respondents

: Mr Arvind Patel, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

Time is sought by counsel for the applicant to file rejoinder.

2. List on **20.07.2018**.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

40.

MA 388/2018 in OA 442/2017

Ex Cpl Dinesh Kumar Rana

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr. H.V. Shankar, Advocate

For Respondents

: Mr Mohan Kumar, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

MA 388/2018

For the reasons carved out in the instant application and following the ratio of the judgment of the Hon'ble Supreme Court in Union of India and others v. Tarsem Singh (2009)(1) AISLJ 371), we hereby condone the delay of 37 days in filing counter affidavit.

2. M.A. is allowed as prayed for.

OA 442/2017

List on **27.03.2018**.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

41.

MA 396/2018 in OA 1768/2017

Col Sanjeev Batra

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr. Satya Saharawat, Advocate

For Respondents

: Mr S.R. Swain, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

MA 396/2018

For the reasons carved out in the instant application and following the ratio of the judgment of the Hon'ble Supreme Court in Union of India and others v. Tarsem Singh (2009)(1) AISLJ 371), we hereby condone the delay of 16 days in filing counter affidavit.

2. M.A. is allowed as prayed for.

OA 1768/2017

List on **03.04.2018**.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

42.

MA 397/2018 IN OA 1782/2017

Ex Nk Matbar Singh Khandari

:Applicant

Versus

Union of India and Others

:Respondents

For Applicant

: Mr. S.S. Pandey, Advocate

For Respondents

: Mr V.S. Tomar, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

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**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

43.

MA 398 in OA 10/2018

No. 4062574N Ex Nk Dinesh Chander :Applicant

Versus

Union of India and Others :Respondents

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

For Respondents : MrS.P. Sharma ,Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

MA 398/2018

M.A. is allowed as prayed for. Document is taken on record.

M.A. stands disposed of.

OA 1768/2017

List on **17.05.2018**, as already fixed.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

44.

MA 404/2016 in OA 280/2017

Lt. Col Nandkishore Vasant Shouche :Applicant

Versus

Union of India and Others :Respondents

For Applicant : Mr.A.S. Puar, Advocate

For Respondents : Ms. Jyotsana Kaushik, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

1.

2.

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

45.

MA 449/2018

13877188-F Ex Hony Nb Sub Munna Lal :Applicant

Versus

Union of India and Others :Respondents

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

For Respondents : Mr. Arvind Patel, Advocate

CORAM:

HON'BLE MR JUSTICE VK SHALI, MEMBER (J)

HON'BLE LT GEN SANJIV CHACHRA, MEMBER (A)

**ORDER
14.03.2018**

Further time is sought for filing the reply.

2. List on **20.07.2018**

**(JUSTICE V.K. SHALI)
MEMBER (J)**

**(LT GEN SANJIV CHACHRA)
MEMBER (A)**

14.03.2018/sudha

