

COURT No.2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

2.

OA 1797/2024 with MA 2279/2024

Ex Sub Sugad Singh Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Devendra Kumar, Advocate
For Respondents : Mr. Arvind Kumar, Advocate
Maj A.R. Subramaniam, OIC Legal Cell

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER
27.05.2024

MA 2279/2024

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 10814 days in filing the present OA. In view of the judgments of the Hon'ble Supreme Court in the matter of *UoI & Ors Vs Tarsem Singh* 2009(1)AISLJ 371 and in *Ex Sep Chain Singh Vs Union of India & Ors* (Civil Appeal No. 30073/2017 and the reasons mentioned, the MA 2279/2024 is allowed and the delay of 10814 days in filing the OA 1797/2024 is thus condoned. The MA is disposed of accordingly.

OA 1797/2024

The applicant vide the present OA makes the following prayers:

“(a) Direct the respondents to re-fix the pension of the applicant in the rank of SUB w.e.f. his date of discharge i.e. 01.03.2004.

(b) Direct respondents to pay the due arrears of pension with interest @12%p.a. from the date of retirement with all the consequential benefits.

(c) Any other relief which the Hon’ble Tribunal may deem fit and proper in the fact and circumstances of the case alongwith cost of the application in favour of the applicant.”

The respondents seek time to ascertain the aspect of last rank of the applicant and to submit the status report thereto. The respondents are permitted to submit the status report by way of an affidavit of the Authorized Representative of the respondents and produced the same on the next date of hearing.

Re-list on 15.07.2024.

**(JUSTICE ANU MALHOTRA)
MEMBER (J)**

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

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