

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

23.  
MA 763/2024 in OA 508/2021

MWO (HFO) Shanker Gurung (Retd) ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr. AK Chaudhary, Advocate  
For Respondents : Mr. Rajeev Kumar, Advocate

CORAM  
HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER  
20.03.2024

In view of the verdict of the Hon'ble Supreme Court in *UOI vs Tarsem Singh* (2008) 8 SCC 648, and the factum of the institution of the OA 508/2021 on 02.03.2021 and the date of discharge of the applicant being 28.02.2013 as per the counter affidavit placed on the record of the OA, it is considered essential to confine the commencement of the arrears of the grant of the disability element of pension as directed vide order dated 23.03.2023 to commence to run from a period of three years prior to the institution of the OA. The MA 763/2024 is thus allowed accordingly.

(JUSTICE ANU MALHOTRA)  
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)  
MEMBER (A)

AP