

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

34.

MA 1769/2024 IN OA 1115/2022

Sgt Rajesh Kumar Singh (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Raj Kumar, Advocate
For Respondents : Ms. Barkha Babbar, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER
09.05.2024

MA 1769/2024

Through the instant application, learned counsel for the respondents prays that since there was a delay in filing the OA 1115/2022 which was allowed vide order dated 21.04.2023 condoning the delay, the arrears payable to the applicant should be restricted to three years prior to filing of the OA, in view of the judgment of the Hon'ble Supreme Court in the case of Union of India and others Vs. Tarsem Singh (Civil Appeal No.5151-5152/2008).

2. In view of the above, the arrears for grant of disability element of pension are restricted to three years prior to the filing of the OA. This MA is thus allowed restricting the arrears to three years prior to the filing of the OA.

3. With the aforesaid, the MA stands disposed of.

4. This order shall form part and parcel of the order dated 21.04.2023.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[REAR ADMIRAL DHIREN VIG]
MEMBER (A)**

**Neha
MA 1769/2024**