

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

54.

MA 2081/2024 IN OA 58/2022

MWO (HFO) PT Philipose (Retd) ..... Applicant  
Versus  
Union of India & Ors. .... Respondents

For Applicant : Mr. A K Choudhary, Advocate  
For Respondents : Mr. R S Chillar, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON  
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

O R D E R  
15.05.2024

MA 2081/2024

By way of this application filed under Rule 25 of the Armed Forces Tribunal (Procedure) Rules, 2008, for modification of the order dated 3<sup>rd</sup> November, 2023 passed in OA No. 58/2022, the respondents seek the following modification/correction of typographical error in the order.

S.No	<u>For</u>	<u>Read as</u>
(a)	Para 16 Line 7 31.10.2021	28.02.2001.

And there was also a delay in filing the OA which was allowed vide order dated 3<sup>rd</sup> November, 2023 condoning the delay. Therefore, the arrears payable to the applicant should be restricted to three years prior to filing of

the OA 58/2022, in view of the judgment of 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 pension are restricted to three years prior to the filing of the OA, i.e., 24<sup>th</sup> December, 2021.

3. Accordingly, rest of the order remains the same and this order shall be read in conjunction with the order passed on 3<sup>rd</sup> November, 2023.

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

[JUSTICE RAJENDRA MENON]  
CHAIRPERSON

[LT GEN C.P. MOHANTY]  
MEMBER (A)

Ps  
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