

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

1.

OA 1518/2024 with MA 1893/2024

CPO/CHELR Rajan T (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate
For Respondents : Sgt Anshuman, Air Force Legal

CORAM

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

ORDER
08.05.2024

The applicant vide the present OA makes the following prayers :-

*“(a) To direct the respondent to calculate and revise Applicant’s pension as per the Last rank of CPO/CHELR, the last rank held for 06 months before retirement, and in consonance with the principle of calculation, upheld in the case of JWO P Gopalakrishnan as referred in the judgment (Supra) placed at Annex-A3; and/or
(b) Direct the respondent to issue fresh PPO for the restructured and revised pension in the rank of CPO w.e.f 31 Dec 1993 (Date of discharge) and pay the arrears of pension with 10% interest; and/or
(c) Pass any other just and equitable order as you deem fit and proper in the interest of justice.”*

Alongwith the same is MA 1893/2024 vide which the applicant seeks condonation of 10895 days delay in institution of the OA which for reasons mentioned therein and in view of the

verdicts of the Hon'ble Apex Court in *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)* is allowed, and the said delay condoned.

OA 1518/2024

Notice of the OA is issued to the respondents and accepted on their behalf. In the interest of justice, in view of the verdict cited on behalf of the applicant specifically in OA 62/2014 of the AFT, Principal Bench, New Delhi in the case of *JWO P Gopalakrishnan vs Union of India & Ors.*, the matter be re-notified for hearing on 29.05.2024.

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

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

Yogita