

COURT No.3, ARMED FORCES TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

45.

OA 357/2016

Shri Bhawani Dutt Notyal

..... Applicant

Versus

UOI &Ors.

..... Respondents

For petitioner : Mr Abhay Kumar, Advocate

For respondents :Mr J S Rawat, Advocate

CORAM:

HON'BLE MR. JUSTICE V.K. SHALI, MEMBER

HON'BLE LT. GEN. SANJIV LANGER, MEMBER

ORDER

09.02.2017

1. The learned counsel for the respondents are directed to file the specific affidavit giving the information on the following counts:

(a) when was the distinction in Army between the NCES and normal sepoys brought to an end and, if any, formal order in this regard was passed, a copy of the said order was also to be placed alongwith the affidavit,

(b) what is the period of service required by all such NCES in Army to be put in before they are entitled to the service pension,

(c) When was the Army Regulations with regard to grant of pension by the Air Force adopted,

(d) If the Army relevant regulations dealing with the grant of pension to the combatants, has been reduced to 15 years in Army and how could the said regulations be made applicable to the NCES in Air Force requiring them to serve for a period of 20 years before they are entitled to any kind of pension relief,

(e) Whether the applicant after initial engagement of 15 years, had asked for discharge, or the respondents themselves had discharged the applicant on completion of his tenure of 15 years. If so, was there any order to that affect formally passed. A copy of this order, if so passed, be also annexed with the affidavit.

2. The respondents are also directed to produce the personal file of

the applicant on the next date of hearing.

3. The aforesaid affidavit shall be filed within two weeks positively failing which the record shall be produced by the officer concerned in Court.

4. List on 11.05.2017.

(V.K. SHALI)
MEMBER (J)

(SANJIV LANGER)
MEMBER (A)

09.02.2017-Chanana

