

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

2.

OA 560/2024 with MA 659/2024

Nk (DSC/GD) Par Bahadur Pun (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ravi Kumar, Advocate
For Respondents : Mr. V Pattabhi Ram, Advocate

CORAM

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

ORDER
11.03.2024

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

*“(a) To direct the Respondents to grant Service Pension to the Applicant for service rendered in DSC after condoning shortfall/deficient period of 333 days (or any other period, upto 12 months) from the date of his discharge viz, 30 Jun 2012.
(b) To direct the Respondents to pay the due arrears of Service Pension for DSC service with interest @12% p.a. from the date of discharge/retirement viz, 30 Jun 2012 all other consequential benefits.
(c) To pass such orders, direction/directions as this Hon'ble Tribunal may deem fit and proper in accordance with law.”*

In view of the order dated 14.02.2024 of the Hon'ble High Court of Delhi in WP(C) 2126/2024 staying the operation of the impugned order dated 03.01.2023 of the AFT(PB), New Delhi in OA 3027/2022, whereby the shortfall of 76 days of qualifying service for second service pension for the services rendered by the applicant in DSC was condoned, as the matter in issue in the present OA is similar to that as subjudice in

WP(C) 2126/2024, despite the submissions made on behalf of the applicant that pursuant to proceedings dated 14.02.2024 in WP(C) 2126/2024, in WP(C) 2969/2024 which relates to a similar issue, there was no stay granted of the operation of a similar impugned order therein, the matter is directed to be re-notified after disposal of the WP(C) 2126/2024 by the Hon'ble High Court of Delhi.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

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