

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

3.

OA 571/2024 with MA 692/2024

Naik (DSC) Ravinder Mishra (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate
For Respondents : Ms. Sheetal Raghuvanshi, 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) Issue directions to the Respondents to grant condonation of upto one year notional service to the Applicant so as to earn 2nd Service Pension for the DSC service, from date of discharge, as he served in DSC Corps more than 14 years and 03 months, in the light of squarely covered judgments placed as Annex-A3 and other similar judgments; and/or
(b) Award applicable interest on the arrears of 2nd service pension, And/or Pass such other and further orders/directions to the Respondents in the attendant genuine circumstances of the case, to meet the ends of justice.”*

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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