

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

2.

OA 828/2024

Ex Nk (DSC) Top Bahadur Thapa ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr. B.S. Gandhar, Advocate  
For Respondents : Mr. Kumar Gaurav, Advocate

CORAM

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

**ORDER**  
13.03.2024

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

- (A) Direct the respondents to grant 2<sup>nd</sup> Service Pension of DSC to the applicant after condoning shortfall/deficiency of 315 days in qualifying service of pension in DSC.*
- (B) Direct the respondents to pay the due arrears of 2<sup>nd</sup> Service Pension with interest @12% p.a. from the date of retirement with all the consequential benefits.*
- (C) Any other relief which the Hon'ble Tribunal may deem fit and proper in the fact and circumstances of the case along with cost of the application in favour of the applicant and against the respondents.*

2. Notice of the OA is issued and accepted on behalf of the respondents. Counter affidavit of the respondents be filed within a period of four weeks. Rejoinder, if any, thereto be filed by the applicant within a period of four weeks thereafter.

3. List the matter before the Principal Registrar on **17.05.2024** for completion of pleadings and before the Bench after disposal of the Writ Petition (C) 2126/2024 pending before the Hon'ble High Court of Delhi, in view of the stay granted of the operation of the order dated 03.01.2023 in OA 3027/2022 of the Principal Bench, AFT, Delhi on a similar issue.

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

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

/nmk