

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

7.

OA 847/2024 with MA 1061/2024

Ex Nk (DSC GD) Udaibir Singh Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Banvendra Singh proxy for
Mr. Bikrama Sah &
Ms.Mamta Pannikar, Advocate
For Respondents : Mr. Vijendra Singh Mahndiyan with Ms.
Apurva, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER
18.03.2024

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

(a) Direct respondents to condone the deficiency/ short fall of 05 months of service to make the applicant eligible for grant of service pension from Defence Security Corps. If the Respondent on verification of Records find a different figure for number of days required to be condoned then the Respondent be directed to accord the required condonation as long as it is less than one year.

(b) Direct respondents to grant service pension from Defence Security Cops including retiral and consequential benefits with effect from the date of discharge i.e. from 01.09.2012 and to pay the due arrears with interest @ 12% per annum till final payment is made.

(c) Any other relief which the Hon'ble Tribunal may deem fit and proper in the fact and circumstances of the case with cost against the respondents..

MA 1061/2024

MA 1061/2024 filed by the applicant seeking condonation of 4196 days delay in filing the OA for the reasons mentioned therein and the verdict of the Hon'ble Supreme Court in *Tarsem Singh vs. UOI & Ors.* is allowed and the delay in institution of the OA is condoned.

Notice of the OA is issued to the respondents and accepted on their behalf. The pleadings in the matter be completed by either side within a time frame of a period of total three months. The matter be listed before the Principal Registrar on **01.04.2024** for completion of pleadings.

In as much as the prayer made by the applicant seeks the condonation of the shortfall of 05 months service in the DSC, the Registry is directed to re-notify the matter after disposal of WP(C) 2126/2024 before the Hon'ble High Court of Delhi.

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

**(LT GEN P.M. HARIZ)
MEMBER (A)**