

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

10.

OA 2234/2024

Ex Sgt Daya Ram

..... Applicant

VERSUS

Union of India and Ors.

..... Respondents

For Applicant : Mr. Mohan Kumar, Advocate

For Respondents : Mr. Kuldeep Singh, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)

HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER

12.07.2024

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

- (a) *To declare the applicant entitled to service pension as applicable to the rank of sergeant with effect from 1.1.1996*
- (b) *To direct the respondent to re-calculate and disburse the pension for the applicant as per his last rank of Sergeant and pay subsequent revisions of pension in accordance with GOI MOD Letter No. B/39013/AG/PS-4 (a&c)/131/A/D/ (Pen/service) dated 9.2.2001, No. 1(2)/2016-D(Pen-Pol) dated 30.09.2016 and PCDA (P) Circular No. 568 dated 13.10.2016.*
- (c) *To direct the respondents to grant the entire arrears, and other consequential benefits to the applicant alongwith 18% interest thereon.*
- (d) *Any other relief which this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.*

2. Notice thereof is issued to the respondents and accepted on their behalf. In view of the contents of the impugned order without any observation on the merits or de-merits of the prayer made by the applicant, in view of the averments made in para-3 of the impugned order dated 12.04.2024 letter no. Air

HQ/99798/21/SP/PRE-06(CC-21)/DAV and the documents placed on record by the applicant as the discharged book from the pages 17 onwards with the certificate of the discharge from the regular Air Force reserve of the applicant as placed in part-III showing is rank to be Sergeant as well as part-II the certificate of discharge from the regular Air Force service of the applicant certifying is rank to be Sergeant.

3. The respondents shall submit a verification of the documents that the applicant has placed on record as annexure A-3(Colly) at pages 15-21 of the OA.

4. Further more, the last pay certificate as placed by the applicant at page 21 of the OA also certifies the rank of the applicant to be Sergeant. The said document be also verified by the respondents and the response of the respondents to the OA of the applicant be filed within a period of two weeks without default.

5. Rejoinder, if any, thereto be filed by the applicant within a weeks thereafter.

6. Re-list the matter on **04.09.2024**.

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

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