

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

C.

OA 538/2020 with MA 157/2021

Ex Hav (Hony Nb Sub) Satya Pal Singh Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. J P Sharma, proxy for
Mr. Virender Singh Kadian, Advocate
For Respondents : Gp Capt Karan Singh Bhati, Sr. CGSC

CORAM

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

ORDER
11.12.2023

The matter was apparently taken up on 31.01.2023 and the prayers made through the OA were to the effect:-

“(a) Direct to the Respondents to grant the Service Pension in the rank of Naib Subedar to the applicant with effect from 01.01.2006 as per the GoI, MoD letter No 1(8)/2008- D(Pen/Policy) dated 12.06.2009 and order dated 08.02.2010 passed by the Hon'ble AFT Chandigarh Bench in OA No 42 of 2010 titled as Virender Singh & others Vs UOI & Ors and Civil Appeal No 4677 of 2014 titled UOI & Ors Vs Subhash ChanderSoni, decided by Hon'ble Supreme Court on 20.05.2015 alongwith interest @10% p.a till the payment be made, for which the applicant deserves.

(b) Any other relief which the Hon'ble Tribunal may deem fit and proper in the fact and circumstances of the case.”

It appears that in view of the submission made that the OA related to the grant of the benefits of the last rank, the OA was orally allowed. As we take up the matter for pronouncement on signatures of the order, it is observed that the matter in issue in

fact relates to the grant of the Hony Naib Subedar's pension which issue is *sub judice* in OA 528/2019 before the Larger Bench and the records indicate that the said issue had been referred to the Larger Bench vide order dated 28.01.2020 and thus certainly before the date 31.01.2023.

In the said circumstances, the matter is adjourned *sine-die* and directed to be re-notified and listed by the Registry only after disposal of the issue in OA 528/2019 by the Larger Bench.

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

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

AP