

COURT NO. 1  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

For Directions:

D

OA 2970/2022 WITH MA 4141/2022

Maj NS Sodhi (Retd)	.....	Applicant
Versus		
Union of India & Ors.	.....	Respondents

For Applicant	:	Mr. Mohan Kumar, Advocate
For Respondents	:	Mr. Neeraj, Sr. CGSC

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON  
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

O R D E R  
27.09.2024

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007, the applicant filed this OA with the following prayers;-

*(a) To direct the respondents to allow the disability element of the pension @60% (rounded off) with broad banding benefits @75% and pay arrears with an interest @18% per annum with all consequential reliefs and benefits forthwith from the time applicant was discharged from service, i.e. 30.03.1988.*

2. At the time of final arguments, learned counsel for the applicant prayed for benefits of broad banding of disability element of pension from 60% to 75% for life. However, having gone through the medical records, we find the disabilities have

been assessed only for two years by the RMB and undisputedly, no RSMB has been done thereafter. In light of the above observations, we find that the following questions of law are now open for adjudication before us:-

(a) Whether the applicant is entitled for disability pension for life when disabilities have been assessed only for two years?

(b) Consequently, is the applicant eligible for benefits of broad banding and if so, since when?

3. In view of the aforesaid observations, we are of the opinion that above issues warrant arguments on merit, therefore, we direct the case to be released from the category of 'Reserve' and the same be placed for hearing on **29.11.2024** as **PART HEARD** before the same Bench.

[JUSTICE RAJENDRA MENON]  
CHAIRPERSON

[LT GEN C.P. MOHANTY]  
MEMBER (A)

**Ps**