

**COURT No.3, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

1.

OA 396/2016 with MA 249/2016

Ex Dfr Dalel Singh Bazard

.....Petitioner

Versus

Union of India & Ors.

.....Respondents

For petitioner : Mr. VS Kadian, Advocate

For respondents : Mr. VVVMBS Pattabhiram, Advocate

CORAM:

HON'BLE MR. JUSTICE B.P. KATAKEY, MEMBER

HON'BLE LT. GEN. SANJIV LANGER, MEMBER

ORDER

10.05.2016

MA 249/2016

Heard the learned counsel for the applicant.

2. The application has been filed by the applicant seeking condonation of delay in filing the OA wherein the applicant has claimed disability pension.

3. Since the claim of the applicant for disability pension is based on the continuous cause of action, we dispose of the MA with the observation that in case the applicant is found to be entitled to any disability pension, the arrears will be restricted for a period of three years prior to preceding the date of filing of the OA.

4. MA is accordingly disposed of.

OA 396/2016

Heard the learned counsel for the applicant.

2. Issue notice, returnable on **27.07.2016**.

3. Since the respondents are represented by learned counsel, no fresh notice may be issued.

4. The respondents shall file the counter by **08.07.2016**.

5. Rejoinder, if any, shall be filed by **22.07.2016**.

6. List for hearing on **27.07.2016** and attempt may be made to dispose of the OA.

**(BP KATAKEY)
MEMBER**

**(SANJIV LANGER)
MEMBER**