

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

88.

OA 476/2015 with MA 2869/2023 & 500/2015

Pradeep Kumar Duhan Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. S C Tomar, Advocate
For Respondents : Mr. Arvind Patel, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER
07.11.2024

On behalf of the respondents has been submitted a copy of a letter no. Air HQ/99798/4/1/2725797/DAV/DP/CC dated 11.09.2023 wherein it has been stated in para-3 & 4 thereof to the effect:-

“3. In the instant case, the details asked by AV Legal as per para 2 of ibid letter in respect of 725559 Ex AC(U/T) Nripendar Kumar Dogra which was enrolled in the IAF on 04 Jul 1987 and discharged from service on 20 Apr 1989 under clause “Medically boarded out of service” after rendering total 01 year and 291 days of regular service as per minimum information available in the form of LR (Copy attached).

4. As per endorsement in LR, He was sanctioned disability pension from @ 375/- pm wef 21 Apr 89 for life and DE @ 90/- pm wef 21 Apr 89 to 26 Feb 94, @ 90/- pm wef 27 Feb 94 to 24 Nov 03 AND @ 310/- PM WEF 25 Nov 03 for life.”

No plausible reason is put forth by the respondents to explain as to how the person named ‘ Ex AC(U/T) Nripendar Kumar Dogra’ has been sanctioned disability pension.

2 Be that as it may, it is considered essential to consider the OA 476/2015 on its facts and merits.

3. In view of the submissions made on behalf of the applicant that the prayer made in the present OA is confined to seeking grant of Invalid Pension alone and that the prayer seeking grant of disability pension is not pressed, the matter is heard and reserved for orders.

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

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

Pooja