

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

17.

OA 513/2025

Captain (IN) S Mathiyalagan (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Vishal Kumar Singh, proxy for
Mr. Kavish Aggarwala, Advocate
Mr. Shubham Kumar, Advocate
For Respondents : Gp Capt Karan Singh Bhati, Sr. CGSC

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

ORDER
28.02.2025

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

*“8.1. To issue a directive compelling the respondents to forthwith recognize and grant the applicant's entitlement to Impairment Relief, and to expeditiously disburse the disability pension due to the applicant, without further delay.
8.2. Award reasonable compensation to the applicant to cover the legal expenses incurred in pursuing his rightful claims for pensionary benefits.
8.3. Award compensation to the applicant's for the mental agony and distress caused due to the unwarranted delay, wrongful stoppage of disability pension, and prolonged denial of rightful benefits.
8.4. To grant any other relief that the Learned Tribunal deems fit and proper, in the interest of justice and equity.”*

2. At the outset, it is brought forth on a perusal of the record that the second appeal was filed by the applicant dated 27.11.2024 whereby he has challenged the denial of impairment relief in the matter and has challenged the decision in the first appeal and that a period of six months

from the date 27.11.2024 has not yet elapsed and thus the present OA is not maintainable in terms of Section-21(2)(b) of the AFT Act, 2007. Counsel for the applicant under instructions seeks to withdraw the present OA seeking liberty to seek redressal afresh in accordance with law. In view of the said submissions, OA 513/2025 is dismissed as withdrawn with liberty granted as prayed.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(RASIKA CHAUBE)
MEMBER (A)

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