

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

98.

OA 1697/2023 WITH MA 2478/2023

Ex Nk (DSC) Gopal Singh Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Ms. Simran, Advocate for
Mr. B.S. Gandhar, Advocate
For Respondents : Ms. Reetesh Agarwal, Advocate

CORAM

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

O R D E R
18.10.2024

The applicant has filed a detailed affidavit as directed on 08.07.2024. In the affidavit submitted by the applicant on 16.10.2024, the following assertion is made in Para 3:-

"That I have annexed the bank statements for the previous three years, from December 2021 to August 2024 (Annexure A2), to demonstrate that I have been receiving only half of the pension amount due to me. Specifically, I have been receiving Rs. 20,250 per month, whereas I am entitled to receive Rs. 40,500 per month."

2. From the service particulars of the applicant available in the pleadings, it is noted that the applicant was enrolled in the Indian Army on 22.05.1984 and was discharged on 01.06.2001 in SHAPE-1. Having served more than 15 years, the applicant is entitled to a regular pension. Subsequently, the applicant was enrolled in the Defence

Security Corps (DSC) on 28.02.2002 and was diagnosed with primary hypertension in September 2016. The applicant was discharged from DSC service on 30.09.2019 after rendering 17 years, 7 months, and 2 days of service. Consequently, the applicant is entitled to two pensions, as indicated in the assertions made in Paragraph 3 of the affidavit.

3. Accordingly, the applicant should be receiving two service pensions - one for the service in the Indian Army and one for the DSC along with a disability pension @ 50%. The Respondents are directed to clarify the positions and bring on record the relevant documents indicating grant of aforesaid three benefits to the applicant.

4. List again on **03.12.2024**.

5. A copy of this order be given '*DASTI*' to both the parties.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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