

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

6.

OA 2335/2024

Ex Hav (ACP-1) Shangreiyu
Kasar (Retd) & Ors. Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Madan Pal Vats &
Abhay Kant Upadhyay, Advocate
For Respondents : Mr. Prabodh Kumar, Advocate

CORAM

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

ORDER
24.07.2024

The applicants nos. 1-2 arrayed to the present OA vide application MA 2764/2024 seek to join together to institute the present OA submitting to the effect that their case is based on the same cause of action with it having been submitted to the effect that the respondent no 1 issued a letter no 12 (1) /2014 /D (Pen/Pol)-Part-II dated 07.11.2015 regarding the Government of India decision on OROP stating that personnel obtaining discharge on their own request are not entitled to the OROP benefits and that the benefits would be effective prospectively, which the applicants submit is the denial of the principles of natural justice.

2. In view of the averments made in the present OA the application MA 2764/2024 filed by the two applicants to join

together to institute the present OA is allowed, in as much as the cause of action on which the OA has been instituted is identical qua both applicants.

3. MA 2763/2024 filed by the applicants seeking condonation of 1828 days of delay in institution of the OA is allowed, in view of the verdict of the Hon'ble Supreme Court in the matter of **UoI & Ors Vs. Tarsem Singh 2009(1)AISLJ 371,**

4. Notice of the OA is issued to the respondents and is accepted on their behalf. Pleadings in the matter be completed by either side within a time frame of three months and the matter be listed before the Principal Registrar on **12.08.2024** and after completion of pleadings the matter be listed with OA 1843/2024 which is relation to a similar issue.

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

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

Pooja