

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

2.
OA 139/2017 with MA 135/2017

Ex L Nk Abdul Rashid **Applicant**
Versus
UOI & Ors. **Respondents**

For petitioner : Mr. Naresh Ghai, Advocate
For respondents : Mr. Prabodh Kumar, Advocate

CORAM:
HON'BLE MR. JUSTICE V.K. SHALI, MEMBER
HON'BLE AIR MARSHAL D.C. KUMARIA, MEMBER

ORDER
22.02.2017

1. The contention of the learned counsel for the petitioner is that though he has been invalidated out from Territorial Army after completion of more than 8 years of service on account of the disability having been suffered by him, he has not been paid the service element of the disability pension. It has been further stated that disability component of the disability is being paid to him. He has drawn the attention of the Tribunal to relevant Regulations of the Pension in this regard. Prima facie, we find merit in the contention of the learned counsel for the applicant.

2. Issue notice to show cause as to why the petition may not be admitted. Shri Prabodh Kumar, learned counsel for the respondents accepts notice on behalf of the respondents. Let reply to the petition be filed within four weeks with an advance copy to the petitioner who may file his rejoinder within two weeks thereafter.

3. List the case on **02.05.2017**.

(V.K. SHALI)
MEMBER (J)

(D.C. KUMARIA)
MEMBER (A)

