

COURT No.3  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

2

OA 2145/2025

Sgt Jyoti Swarup Sharma (Retd) ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr. Ramnivas Bansal, proxy for  
Mr. A K Chaudhary Raj Kumar Mishra &  
Mr. Pradeep Kumar Mishra, Advocates  
For Respondents : Mr. Vaibhav Sabharwal, Advocate

CORAM

HON'BLE MS. JUSTICE NANDITA DUBEY, MEMBER (J)  
HON'BLE LT. GEN. C.P. MOHANTY, MEMBER (A)

ORDER  
22.09.2025

Counsel for the respondents points out that as per order dated 21.07.2025, the enhanced rate of pension was directed to be granted to the applicant in terms of *Sqn Ldr Yogesh Kumar Choudhary vs. Union of India*. It is stated, however, that in the said case, this Court has passed a stay order on 06.09.2023, staying the operation of the order therein, which could not be brought to the notice of this Court earlier. Accordingly, it is prayed that para 2 of the order dated 21.07.2025 be corrected.

2. On perusal of the record supplied to the respondents, the contention of the respondents is found to be correct.

3. In the circumstances, para 2 of the order dated 21.07.2025 is modified to the extent that the enhanced rate of pension, earlier granted in terms of *Sqn Ldr Yogesh Kumar Choudhary vs. Union of India*, shall not be extended to the applicant. If the same has already been granted to applicant, it is required to be re-adjusted in further grant of pension.

4. The respondents are also directed to place the Long Roll on record before the next date of hearing.

5. Re-list the matter on 03.11.2025.

Let a copy of this order be provided *'DASTI'* to learned counsel for the parties.

(JUSTICE NANDITA DUBEY)  
MEMBER (J)

(LT. GEN. C.P. MOHANTY)  
MEMBER (A)