

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

119.

OA 263/2022

Lt Col Ram Shiromani Singh (Retd)		Applicant
Versus		
Union of India & Ors.		Respondents

For Applicant	:	Mr. S S Pandey, Advocate
For Respondents	:	Mr. Anil Gautam Sr CGSC

CORAM

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

O R D E R
24.02.2025

Today when the case was taken up for hearing, it has been argued by Mr. SS Pandey, learned Counsel for the applicant that the case involves a simple issue to be adjudicated as the applicant has been subjected to discriminatory approach by the PCDA.

2. We have perused the impugned letter of Department of Ex-Servicemen Welfare/D (Pension Grievances), Government of India, Ministry of Defence dated 21.09.2021 denying DA on pension to the applicant on the grounds that he is re employed in Institute of Liver & Biliary Sciences (ILBS) and therefore is not entitled to DA.

3. However, having gone through the letter of his appointment, we observe that he has been employed on a contractual basis and not on re-employment basis by ILBS. We

note that the applicant has also cited cases of similarly placed employees placed at Page No 63 who are employed on contract basis in the same organisation and are drawing the DA on pension. Let a copy of the list of such employees placed at Annexure A-18 in the OA be served to the office of the PCDA by the Ld Sr CGSC for the Respondents No 1 & 2. We direct the PCDA to show cause as to why such a benefit should be denied to the applicant which is being allowed to similarly placed employees.

4. PCDA(P), i. e. Respondent No 3 is directed to place their response through a short affidavit before us within four weeks, failing which, we shall proceed ex parte on this matter.

5. List the matter on 3rd April, 2025.

6. Let a copy of this order be given 'DASTI' to both the parties.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

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