

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

5.

MA 226/2024 in MA 1633/2024 in OA 687/2021

Ex WO Mani Lal Prasad ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr. A. K. Chaudhary, Proxy for  
Mr. Baljeet Singh, Advocate  
For Respondents : Mr. Prabodh Kumar, Advocate

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HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE LT GEN P.M HARIZ, MEMBER (A)

ORDER  
28.05.2024

MA 226/2024 has been filed by the applicant on 12.01.2024 seeking implementation of order dated 10.07.2023 in OA 687/2021 whereby vide para 17 thereof, it was directed to the effect :-

*“17. Therefore, in view of our analysis, the OA 687/2021 is allowed and the Respondents are directed to grant the benefit of the disability element of pension @20% for life (for DIABETES MELLITUS Type II) & @30% for life (for Primary Hypertension (Old)), compositely assessed @ 44% (rounded off to 40%) for life rounded off to 50% for life in view of judgment of Hon'ble Apex Court in Union of India versus Ram Avtar (supra) from the date of discharge i.e 31.01.2019. The arrears shall be disbursed to the applicant within three months of receipt of this order failing which it shall earn interest @ 6% p.a. till the actual date of payment.”*

2. The records of the OA 687/2021 indicate that vide a separate order dated 10.07.2023 the prayer made by the respondents seeking the grant of leave to appeal against the said order has been expressly declined in terms of Section 31(1) of the AFT Act, 2007.

3. Vide orders dated 18.01.2024, 02.04.2024 in the present application, the respondents were granted six weeks and four weeks, respectively as prayed by them for compliance of the said directions with a similar prayer seeking time having been made on 09.04.2024 which submission is now made on behalf of the respondents that they intend to assail the order by filing a writ petition.

4. In view thereof, in the event of there being no stay order of the operation of the order being placed on the record by the respondents for the next date of hearing, the affidavit of compliance of the said directions with the demand draft for a sum of Rs. 50,000 in the name of the applicant towards payment of costs be placed on the records by the respondents.

5. Notice of MA 1633/2024 filed by the applicant with the following prayers :-

*“In view of the submissions made hereinabove it is most respectfully prayed that this Hon’ble Tribunal may be pleased to direct the Respondents to execute/implement the Order dated 10.07.2023 in OA No. 687/2021 titled as Ex-WO Mani Lal Prasad*

*Vs. Union of India & Ors., with immediate effect to meet the ends of equity, justice and fair play.”*

is issued to the respondents.

6. The matter be re-notified for hearing on **25.07.2024**.

7. Copy of this order be given *DASTI* as prayed.

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

**(LT GEN P.M HARIZ)**  
**MEMBER (A)**

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