

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

34.

MA 4081/2023 in OA 1357/2022

Sub Govind Singh (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Bikrama Sah, Advocate
For Respondents : Mr. Rajan Khosla, Advocate
Mr. Nitish Auditor, PCDA Prayagraj

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)

O R D E R
12.01.2026

MA 4081/2023

Seeking execution of the order dated 20.03.2025 passed by this Tribunal in OA No. 1357/2022, the present application has been filed. Pursuant thereto, Government sanction has been accorded, and thereafter, vide order passed on 19.12.2025, based on the said Government sanction, the office of PCDA (P), Prayagraj was directed to issue the PPO and submit a compliance report to this Tribunal. The matter was accordingly listed today.

2. On the date of listing, a communication dated 09.01.2026 issued by the office of the PCDA (P), Prayagraj to the Officer-in-Charge (Records), ASC (S) has been placed on record. In the said communication, the PCDA (P), in paragraph 1, has raised certain queries, which are reproduced below:

“1. Please refer to the letter cited under reference. In this context, this office letter No. SPARSH/Army-4/Legal Corr/GP-03/SI No. 2 dated 07.01.2026 is forwarded herewith for further necessary action at your end. It is intimated that duration of payment (To date) for DE is not clear in the court order dated 20.03.2023 and Govt Sanction dated 15.07.2025. Accordingly Pension Claim along with all the concerned documents are returned herewith unactioned.

3. A perusal of OA No. 1357/2022 reveals that the applicant invoked the jurisdiction of this Tribunal by filing the application under Section 14 on 07.07.2022. The grievance raised therein was that the applicant was enrolled in the Indian Army on 29.08.1993 and was detected with the ailment of Primary Hypertension for the first time on 12.01.2019, after rendering about 25 years of military service. The RMB was conducted on 17.05.2021, wherein the disability of Primary Hypertension was assessed at 30% for life. As the disability was declared neither attributable to nor aggravated by military service, the applicant was denied disability element of pension and was ultimately discharged on 31.08.2021.

4. Upon rejection of his claim for disability element, the applicant preferred a first appeal, which came to be rejected on 19.04.2022. Thereafter, within the statutory period of limitation, i.e. within six months, the applicant invoked the jurisdiction of this Tribunal on 01.07.2022.

5. From the aforesaid facts, it is evident that the application was filed under Section 14 within the prescribed period of limitation. After considering and evaluating the merits of the case,

this Tribunal allowed the application, and in paragraph 4 of the application, issued the following directions:

***“4. Accordingly, we allow this application holding that the applicant is entitled to disability element of pension @ 30% rounded off to 50% with effect from the date of his discharge. All other claims stand rejected.*”**

From the above directions, it is abundantly clear that the disability element of pension has been granted to the applicant at 30%, rounded off to 50%, and that the said benefit is to be extended with effect from the date of his discharge, i.e. 31.08.2021. There is no ambiguity, discrepancy, or lack of clarity in the order or in the material available on record. The order is explicit and unambiguous, and this Tribunal finds no justification for any confusion on the part of the Pension Sanctioning Authority in seeking further clarification.

6. Accordingly, it is directed that the PCDA (P), Prayagraj shall issue the PPO granting disability element of pension to the applicant for disability at 50%, with effect from 31.08.2021. All arrears and consequential benefits accruing to the applicant in accordance with the directions issued by this Tribunal in paragraph 4 of the order, shall be released within a period of four weeks from today, and the PPO shall be brought on record on the next date of hearing:

7. The office of the PCDA (P), Prayagraj is not required to await any clarification or records from the Record Office and

shall issue the PPO and release payment forthwith strictly in accordance with the directions issued in this order.

8. List the matter again on **27.02. 2026**.

9. A copy of this order be provided DASTI to learned counsel for both the parties.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[MS. RASIKA CHAUBE]
MEMBER (A)**

/Jyoti/