

**COURT No.2, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

2.
OA 284/2018

Ex ALD Nand Kishore : **Applicant**
Vs
UOI &Ors. : **Respondents**

For Applicant : Mr. Parmesh Kumar, Advocate
For Respondents : Mr. J.S. Rawat, Advocate

CORAM:
HON'BLE MR. JUSTICE V.K.SHALI, MEMBER (J)
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)

ORDER
19.02.2018

1. The learned Counsel for the Applicant has contended that the Applicant who had joined service with the Respondent on 6th of June, 1981 has been relieved from service on compassionate ground upon the request of the Applicant on 30.11.1989 on the ground that he had suffered disability with regard to hearing impairment and has been categorised by the Release Medical Board in Medical Low Category CEE (Permanent) which was occurred during service and is attributable and aggravated by Military service.

2. Learned Counsel for the Applicant has contended that in pursuance to the letter dated 19.11.2017 issued by the Government of India, Ministry of Defence, the pre 2006 retirees are also entitled to the benefit of disability element of pension.

3. Issue Notice.

4. Notice accepted by the learned Counsel for the Respondents.

5. Let reply affidavit be filed within eight weeks with an advance copy to the learned Counsel for the Applicants. Rejoinder if any shall be filed by the Applicant within two weeks.

6. List on **28.05.2018**.

(JUSTICE V K SHALI)
MEMBER (J)

(LT. GEN. PHILIP CAMPOSE)
MEMBER (A)

19.02.2018 VKUL