

IN THE ARMED FORCES TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI

10.

O.A. No. 608 of 2010

Ex Sepoy Deo Saran Singh

.....Petitioner

Versus

Union of India & Anr.

.....Respondents

For petitioner: Mr. S. S. Yadav, Advocate

For respondents: Mr. Ankur Chhibber, Advocate.

CORAM:

HON'BLE MR. JUSTICE A.K. MATHUR, CHAIRPERSON.

HON'BLE LT. GEN. S.S.DHILLON, MEMBER.

ORDER

19.03.2012

The petitioner joined in the Army on 07.10.1961 in the Engineering Corp and he was discharged on 06.12.1968 and then was re-employed in the D.S.C. on 22.09.1978 and discharged from service on 26.10.1985 because of having earned five red ink entries.

Now the petitioner filed this petition seeking that he has completed 14 years one months service therefore he is short of 11 months and that may^{be} condoned as Army Service HQ had power to condone the delay upto one year vide MoD letter dated 14.08.2001 w.e.f. the date of issue i.e. 14.08.2001.

The contention of petition is misconceived. The aforesaid order of MoD dated 14.08.2001 is not applicable in the case of the petitioner since he was discharged from service on 26.10.1985 and at that time the condonation period was permissible up to 6 months. The order dated 14.08.2001 is not retrospective in operation. Hence, it is not applicable. Secondly, it is an extremely belated petition.

Hence, it is dismissed. No order as to costs.

A.K. MATHUR
(Chairperson)

S.S. DHILLON
(Member)

New Delhi
March 19, 2012
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