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**IN THE ARMED FORCES TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI**

TA No. 452/2010

[W.P. (C) No.6857/2001 of Delhi High Court]

Wg. Cdr. N.K. Dube

.....Petitioner

Versus

Government of India, MOD & Ors.

.....Respondents

For petitioner: Sh. V.S. Tomar, Advocate.

For respondents: Sh. Ankur Chibber, Advocate.

**CORAM:**

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

**HON'BLE LT. GEN. M.L. NAIDU, MEMBER.**

**ORDER**

03.02.2010

Present case received on transfer from Hon'ble Delhi High Court.

Heard learned counsels for the parties.

In view of the decision given in the case of Wg. Cdr. V.S. Tomar (Retd.) Vs. Union of India & Others – T.A. No.110/2009 dated 23.11.2009, we are not inclined to interfere in the matter as petitioner cannot claim similar parity with the civilians because Air Force class is apart and not similarly situated with the civilians. Petitioner is asking for the same benefits as the civilians get which cannot be acceded to. Consequently, we do not find any ground to interfere in the matter. Same is dismissed. No order as to costs.

**A.K. MATHUR**  
**(Chairperson)**

**M.L. NAIDU**  
**(Member)**

**New Delhi**  
**February 3, 2010**