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IN THE ARMED FORCES TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI

O. A. No. 09 of 2010, O.A. No. 08 of 2010 & O.A. No. 112 of 2010

Ex Swar Balbir Singh
Ex. Risaldar Maha Singh
Ex. Gnr. Jhabar Singh

.....Petitioners

Versus

Union of India & Ors.

.....Respondents

For petitioners: Mr. S.R. Kalkal, Advocate.
For respondents: Mr. Mohan Kumar, Advocate.

CORAM:

HON'BLE MR. JUSTICE A.K. MATHUR, CHAIRPERSON.
HON'BLE LT. GEN. Z.U. SHAH, MEMBER.

ORDER
03.05.2011

All three cases involve question of law which has been decided by the recent decision of Apex Court dated 31.03.2011 in the case of "K.J. Buttar Versus Union of India and Anr." (Civil Appeal No. 5591 of 2006). The cap of pre and post 01.01.1996 in the order dated 31.01.2001 has now been held invalid by virtue of judgment given in the case of K.J. Buttar Versus Union of India and Anr. (Supra) and all pre and post retirees on 01.01.1996 brought under one class. Therefore, we dispose of all the three cases and direct that all the benefits may be given to all the three above petitioners in the light of judgment given by Apex Court in the case of K.J. Buttar Versus Union of India and Anr. (Supra).

The petitions are allowed. No orders as to costs.

A.K. MATHUR
(Chairperson)

Z.U. SHAH
(Member)

New Delhi
May 03, 2011