

IN THE ARMED FORCES TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI

13.

O. A. No. 140 of 2011

Naik (Retd) Virendra Kumar

.....Petitioner

Versus

Union of India & Ors.

.....Respondents

For petitioner: Sh. A. K. Shukla, proxy counsel for Sh. Anil Bakshi, Advocate.

For respondents: Sh. Ankur Chhibber, Advocate.

CORAM:

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

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

ORDER

26.5.2011

Heard learned counsels for the parties.

All these cases are squarely covered by the decision given by Chandigarh Bench in the case of **Mange Ram & Others v. Union of India & Others** dated 3rd February 2010 [O.A. No. 47/2010] and that has been accepted by the respondents and order has been passed pertaining to these three persons who were petitioners in the case of Chandigarh Bench. The Government has accepted the decision. Respondent in the reply has agreed in principle that those persons who were discharged from service w.e.f. 31st October 1996 prior to 10th October 1997 and who have qualifying service, their pay scale will be revised from the date of 1st January 1996 or from the date of their entitlement to the revised pay scale whichever is later and consequent thereupon re-fixation of their pay with reference to such revised pay scale. This has already been accepted and they have already issued order with

regard to three persons allowing other arrears with interest @ 10%. All these petitions are allowed on the basis of aforesaid decision dated 3rd February 2010 [O.A. No. 47/2010] complied by the order of Government dated 7th June 2010. The pension of these petitioners may be revised and they may be paid arrears with interest @ 10% within three months. In case any person suffering from any disability, his disability should also be revised in terms of revised pay scale. No order as to costs.

A.K. MATHUR
(Chairperson)

S.S. DHILLON
(Member)

New Delhi
May 26, 2011