

IN THE ARMED FORCES TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI

O. A. No. 18 of 2011

Major B.D. Mishra

.....Petitioner

Versus

Union of India

.....Respondent

For petitioner: Sh. Naresh Ghai, Advocate.

For respondents: Sh. R. Balasubramanian, Advocate.

CORAM:

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

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

ORDER
20.10.2011

1. This case is squarely covered by the decision given by this Tribunal in the case of **Maj. S.D. Singh v. Union of India (T.A. No. 46 of 2010)**. However, learned counsel for the respondents has raised a question of limitation that since the petitioner retired in 1982 therefore all the benefits from 1982 should not be given to him and it may be confined to three years preceding the filing of the petition. This submission of learned counsel for the respondents is correct.

2. We confine the benefit of pension for a period of three years preceding the date of filing of petition. The date of filing of petition is 12th January 2011. All the benefits and arrears may be worked out since three years preceding the date of filing of the petition with 12% simple interest.

3. With these observations, the petition is allowed with no order as to costs.

A.K. MATHUR
(Chairperson)

S.S. DHILLON
(Member)

New Delhi
October 20, 2011
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