

IN THE ARMED FORCES TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI

04.

O.A. No. 287 of 2011
With M. A. No. 343 of 2011

Ex. Wing Commander B. S. BakshiPetitioner

Versus

Union of India & Ors.Respondents

For petitioner: Sh. S. S. Pandey, Advocate.
For respondents: Sh. Ajai Bhalla, Advocate.

CORAM:
HON'BLE MR. JUSTICE A.K. MATHUR, CHAIRPERSON.
HON'BLE LT. GEN. S.S.DHILLON, MEMBER.

ORDER
14.09.2011

Heard learned counsel for the petitioner. The petitioner's pension was reduced by the order dated 29.9.1992 by 10% and he was sanctioned only 90% of the pensionary benefits payable to him. The grievance of the petitioner is that 10% reduction in pension cannot be reduced with the passage of time on the revision of the Pay Commission. The petitioner's grievance is that his pension every time cannot be sustained whenever the revision of pay scales takes place which is being reviewed by virtue of the order dated 29.9.1992. Therefore, he has challenged this order. The challenge to order dated 29.9.1992 is extremely belated and it cannot be entertained at this distance of time. The next contention of the petitioner is that he has leave encashment due to him. Then should be released to him forthwith. So far as grant of disability pension is concerned, we have perused the proceedings of

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Medical Board. The earlier Medical Board assessed his disability at 20%, however, same Medical Board subsequently corrected it to 11 to 14% disability pension. Therefore, he is not entitled to. In case, if he makes any fresh application for re-assessment of disability, it will be open for him to do so and the authorities may take appropriate action. There is no merit in the petition. The same is thus dismissed.

A.K. MATHUR
(Chairperson)

S.S. DHILLON
(Member)

New Delhi
September 14, 2011