

IN THE ARMED FORCES TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI
17.

O.A. No. 99 of 2011

Ex Sep Sataybir Singh

.....Petitioner

Versus

Union of India & Ors.

.....Respondents

For petitioner: Mr. S.S. Pandey, Advocate.

For respondents: Ms. Barkha Babbar, Advocate.

CORAM:

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

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

ORDER

08.11.2012

1. Petitioner by this petition has prayed that the Respondents may be directed to grant arrears of pay and allowances from 1st January 2006 to 31st May 2007 as well as arrears of service pension from 1st June 2007 onwards, consequent to revision of such pay and allowances as well as pension consequent to implementation of 6th Pay Commission, alongwith interest @ 18% per annum.

2. The Respondents in their reply submitted that all the arrears of pension, which according to the Petitioner were due, have already been released to him i.e. they have calculated 40% arrears for the period from 1st January 2006 till 31st May 2007 and the amount of Rs.33,009/- was paid to the Petitioner vide demand draft dated 11th June 2009. The demand draft was sent to the Petitioner thorough registered post. Learned counsel for the Petitioner has accepted the same. It is further submitted that sum of Rs.42,675/- towards balance 60% arrears has also been paid to the Petitioner by demand draft dated 12th May 2010. Therefore, 100% arrears of

revised pay and allowances from 1st January 2006 till 31st May 2007 have already been paid to the Petitioner.

3. The next question is with regard to disability pension. Learned counsel for the Respondents has submitted that the disability pension has also been paid to the Petitioner as mentioned in para 6 of the reply and learned counsel for the Petitioner does not dispute that also.

4. Therefore, all dues which were sought to be released by the Petitioner have already been paid to him. Learned counsel for the Petitioner has submitted that he has not been paid the service element of disability pension during the DSC service. In that connection he has invited our attention to Regulation 280 applicable to DSC personnel. There is no such grievance made by the Petitioner in the petition. However, it will be open for the Petitioner to make such submission in pursuance of Regulation 280, to the Army authorities, and the authorities may pass appropriate order in accordance with law.

5. The petition is accordingly disposed of with no order as to costs.

A.K. MATHUR
(Chairperson)

S.S. DHILLON
(Member)

New Delhi
November 8, 2012
dn/pd