

**COURT No.2, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

1.
OA 1694/2017 WITH MA 1276/2017

Ex Capt Sonika Chhetri (NR-22400M)
Vs.
UOI & Ors

.....Applicant

.....Respondents

For Applicant : Mr. Ajit Kakkar, Advocate
For respondents : Maj Deepak Ranvah, OIC, Legal Cell

CORAM:
HON'BLE MR. JUSTICE V. K. SHALI, MEMBER
HON'BLE LT. GEN. S.K. SINGH, MEMBER

ORDER
01.11.2017

MA 1276/2017

1. This is an application for condonation of delay under Section 5 of the Limitation Act read with Section 22 of the Armed Forces Tribunal Act, 2007. There is delay of 93 days in filing the present Original Application. The delay of 93 days is condoned as sufficient cause is shown.

2. Accordingly, MA stands disposed of.

OA 1694/2017

1. This is an application under Section 14 of the Armed Forces Tribunal act, 2007 for grant of disability pension. The grievance of the applicant is that although he had suffered two disabilities which was categorized as 20% and 30% which are attributable to the military service. However, he was denied the disability pension on account of the fact that the applicant had resigned from the military service. It had been stated by the learned counsel that despite the resignation having been given by the applicant he is entitled to the disability pension. He further states that he wants to cite certain judgments of the Hon'ble Supreme Court as well as of the High Court and would cite the same on the next date of hearing.

2. For the present, issue notice to the respondents. Notice is accepted by Maj Deepak Ranvah, Office-in-Charge, Legal Cell appearing on behalf of the respondents.

3. Reply affidavit be filed within six weeks with advance copy to the learned counsel for the applicant, who may file rejoinder affidavit with two weeks thereafter.
4. List on **09.01.2018** before the Principal Registrar for completion of pleadings.

((JUSTICE V. K. SHALI)
MEMBER (J)

(LT. GEN. S. K. SINGH)
MEMBER (A)

01.11.2017/mlb