

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

1.

OA 1816/2018 with MA 2016/2018 & 2017/2018

Ex Hony Nb Sub Fauji Ram & Ors. ....Applicants

Versus

Union of India & Ors. ....Respondents

For Applicant

:Mr. Anil Srivastava, Advocate

For Respondents

:Mr. Satya Ranjan Swain , Advocate

CORAM:

HON'BLE MS.JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE AIR MARSHAL B.B.P. SINHA, MEMBER (A)

ORDER

13.01.2021

MA 2017/2018

Heard on MA 2017/2018, vide which the applicants seek to join together on the ground that all of them were conferred <sup>rank of 2</sup> with Hony. Nb Subedar and therefore, they are entitled to the pension of Nb Subedar.

The application is opposed by counsel for the respondents primarily on the ground that the applicants are not resident of Delhi and belongs to different units and therefore, it will be difficult to file the counter affidavit qua them.

We are of the view that the legal issue pertaining to all the applicants is one whether they are entitled to get the pension of Nb Subedar after having been conferred the benefit of Hony Nb Subedar. Therefore, irrespective of the fact that the applicants belong to different States or units, they are allowed to join in one OA and the application is accordingly allowed. MA stands disposed off.

OA 1816/2018

Heard. Admit.

Issue notice to the respondents in OA.

Notice is accepted by Mr. Satya Ranjan Swain, Advocate for the respondents. He seeks time to file counter affidavit. Same be filed within eight weeks.

4. List on **13.04.2021** before the Principal Registrar for completion of pleadings.

(JUSTICE MS. SUNITA GUPTA)  
MEMBER (J)

(AIR MARSHAL B.B.P. SINHA)  
MEMBER (A)

nk/chanana