

COURT NO. 1, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

88.

MA 4550/2023 in OA 2429/2022

JWO Jai Bhagwan (Retd)

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant

:

Mr. Ravi Kumar, Advocate

For Respondents

:

Mr. RS Chhillar, Advocate

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN C. P. MOHANTY, MEMBER (A)

ORDER
30.10.2023

MA 4550/2023

This is an application filed under Rule 25 of the Armed Forces Tribunal Procedure Rules, 2008 by the respondents seeking modification of the order passed by this Tribunal on 9th May, 2023 to the extent that "the date of entitlement of disability element of disability pension as 3 years prior to the date of filing of the Original Applications in each case, instead of the date of discharge" and "allow the respondents a further period of 3 months to implement the modified order/s"

In view of the averments made in the application which are duly supported by an affidavit, the MA is allowed and the order dated 09.05.2023 shall now be read as " the applicant is entitled to disability element of pension 3 years prior to the date of filing of the OA i.e., 19th October, 2022. The respondents are directed to comply with this order within a period of four weeks from today.

This order shall now be read in conjunction with the order passed
by this Tribunal on 09.05.2023.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[LT. GEN C. P. MOHANTY]
MEMBER (A)

/jyoti/