

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

54.

MA 2081/2024 IN OA 58/2022

MWO (HFO) PT Philipose (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. A K Choudhary, Advocate
For Respondents : Mr. R S Chillar, Advocate

CORAM

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

ORDER
15.05.2024

MA 2081/2024

By way of this application filed under Rule 25 of the Armed Forces Tribunal (Procedure) Rules, 2008, for modification of the order dated 3rd November, 2023 passed in OA No. 58/2022, the respondents seek the following modification/correction of typographical error in the order.

S.No	<u>For</u>	<u>Read as</u>
(a)	Para 16 Line 7 31.10.2021	28.02.2001.

And there was also a delay in filing the OA which was allowed vide order dated 3rd November, 2023 condoning the delay. Therefore, the arrears payable to the applicant should be restricted to three years prior to filing of

the OA 58/2022, in view of the judgment of Hon'ble Supreme Court in the case of Union of India and others Vs. Tarsem Singh (Civil Appeal No.5151-5152/2008).

2. In view of the above, the arrears for grant of disability pension are restricted to three years prior to the filing of the OA, i.e., 24th December, 2021.

3. Accordingly, rest of the order remains the same and this order shall be read in conjunction with the order passed on 3rd November, 2023.

4. With the aforesaid, the MA stands disposed of.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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