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

Supplementary

1.

OA 137/2025 with MA 291/2025 & 292/2025

Nk (ACP-1) Jagdish (Retd) & Ors. ..... Applicant
VERSUS
Union of India and Ors. ..... Respondents

For Applicant : Mr. Madan Pal Vats &
Mr.Abhay Kant Upadhyay, Advocates
For Respondents : Mr. Neeraj, Sr. CGSC with
Mr. Sanjay, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE MS RASIKA CHAUBE, MEMBER (A)

ORDER
27.01.2025

MA 292/2025

MA 292/2025 has been filed by the six applicants seeking to join together to institute the OA submitting to the effect that they are all aggrieved by the same cause of action. Counsel present submits that he represents each of them. In view thereof, MA 292/2025 is allowed and the six applicants are allowed to join together to institute the present OA. MA 292/2025 is disposed of accordingly.

MA 291/2025

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 2000 days in filing the present OA. In view of the judgments of the Hon'ble Supreme Court in the matter of **UoI & Ors** Vs **Tarsem Singh 2009(1)AISLJ 371** and in **Ex**

and the reasons mentioned, the MA 5121/2024 is allowed despite opposition on behalf of the respondents and the delay of 2000 days in filing the OA 137/2025 is thus condoned. The MA 291/2025 is disposed of accordingly.

OA 137/2025

The applicant vide the present OA makes the following prayers:-

(i) Quashing and setting aside the GOI, MOD, DESW (Respondent No. 1), letter dated 20.07.2023 along with disposal orders for the complaint filed online by the applicants [Annexure A 01 (COLLY)] (IMPUNGED LETTER).
(ii) Quashing and setting aside the GOI, MOD, DESW (Respondent No. 1), letter dated 06.06.2017, [Annexure - A -02 (i)) (IMPUNGED LETTER).
(iii) Quashing and setting aside the GOI, MOD, DESW (Respondent No. 1), letter dated 04.01.2023, [Annexure-A -02 (ii)] (IMPUNGED LETTER).
(iv) Quashing and setting aside the detailed instructions issued by GOI, MoD, DESW (Respondent No. 1), vide their letter dated 20.01.2023, [Annexure (IMPUNGED LETTER). A02 (iii)]
(v) Quashing and setting aside the PCDA (Pension) Circular No. 666 dated 20.01.2023 [Annexure-A-02 (iv)] (Colly) (IMPUNGED LETTER).
(vi) Quashing and setting aside the clarifications/instructions given to CGDA by GOI, MoD, DESW, vide their I'D No. 1(1)/2019/D(P/P) dated 08.04.2022, [Annexure-A -02 (v)] (IMPUNGED LETTER).
(vii) Quashing and setting aside the GOI, MOD, DESW (Respondent No. 1), vide their letter dated 10.07.2024, [Annexure-A-02 (vi)] (IMPUNGED LETTER).
(viii) Quashing and setting aside the detailed instructions issued by GOI, MOD, DESW (Respondent No. 1), vide their letter dated 04.09.2024, [Annexure (IMPUNGED LETTER) A 02(vii)]
(ix) Quashing and setting aside the PCDA (Pension) Circular Number 677 dated 06.09.2024 [Annexure - A-02(viii)] (IMPUNGED LETTER)
x) Direct the respondents the benefits of first revision of OROP w.e.f. 01 July 2019 and consequential benefits arising therefrom with the

interest @ 12% on the arrears till realization of the actual payment.
(xi) Call for records pertaining to letter No. 1(1)/2019/D (Pen/Pol) dated 04 Jan 2023 and 20 Jan 2023.
(xii) Call for records pertaining to letter No. 1(2)/2023/D(Pen/Pol) dated 10.07.2024 and 04.09.2024.
(xiii) Call for records pertaining to letter No. 12(1)/2014/D (Pen/Pol)-Part-11 dated 07.11.2015 and dated 06.06.2017.
(xiv) Pass any other or further order(s) as may be deem fit and proper, in favor of the applicants.
(xv) To award the cost of the original application to the applicants."

2. Notice of the OA is issued and accepted on behalf of the respondents. The pleadings in the matter be completed by either side within a time frame of three months. The matter be listed before the Joint Registrar on **31.01.2025** for completion of pleadings.

2. On behalf of the applicant, it is submitted that the matter is similar to OA 2857/2024 and seeks that the matter be renotified along with the OA 2857/2024. However, in view of the factum that the aspect in relation to the letter dated 04.01.2023 issued by the Government of India, Ministry of Defence, DESW is pending reserved for judgment before Hon'ble Court 1 in OA 313/2022. The Registry is directed to renotify the matter only after disposal of OA 313/2022.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(RASIKA CHAUBE)
MEMBER (A)

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