

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

63.

MA 543/2026 IN OA 2017/2025

POME Mukesh Kumar (Retd) ..... Applicant  
Versus  
Union of India & Ors. .... Respondents

For Applicant : Mr. Vivek Bhai Patel, Advocate  
For Respondents : Mr. Niranjana Das, Advocate

CORAM

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

ORDER  
12.02.2026

MA 543/2026

Seeking restoration of OA 2017/2025 and its disposal on merit, this application has been filed.

2. The OA 2017/2025 was disposed of by this Tribunal on 07.08.2025 as we found that the applicant has filed a 1<sup>st</sup> Appeal for grant of disability pension and the 1<sup>st</sup> Appeal has not been decided. In spite of the same being pending, we, therefore, directed the respondents to decide the 1<sup>st</sup> Appeal and disposed of the matter.

3. Now the 1<sup>st</sup> Appeal has been decided vide Annexure A-2 dated 14.01.2026, the applicant wants restoration of the said OA and to decide it on merit. Once the OA has been disposed of with a direction to decide the 1<sup>st</sup> Appeal by a speaking order and when the 1<sup>st</sup> Appeal has been decided

with a detailed speaking order, it gives a fresh cause of action to the applicant to file a fresh OA and challenge the non-grant of disability and also the 1<sup>st</sup> Appeal order dated 14.01.2026 (Annexure A-2). That being so, no case is made out for restoration of OA 2017/2025 instead liberty is granted to the applicant to invoke the jurisdiction of this Tribunal a fresh in a proceedings under Section 14 of the Armed Forces Tribunal Act, 2007, and incorporate appropriate pleadings challenging the First Appellate Authority order dated 14.01.2026 (Annexure A-2).

4. With the aforesaid liberty to the applicant, the MA stands disposed of.

**[JUSTICE RAJENDRA MENON]  
CHAIRPERSON**

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

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MA 543/2026