

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

19A.

OA 687/2015

Lt Col Dadan Chaubey (Retd.) ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Ms. Archana Ramesh, Advocate  
For Respondents : Mr. Anil Kumar Gautam, Sr. CGSC  
Maj Abhishek Kumar, OIC Legal Cell

CORAM


HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER  
25.02.2026

On behalf of the respondents has been submitted a document no. 1(6)/98 D(Pension/Services) dated 03.02.1998 along with letter dated 24.05.2024 as already been submitted by the respondents along with two policy letters dated 03.09.2015 and policy letter dated 30.09.2016 vide Para 4 of the letter No. 1(2)/2016-D(Pen/Pol) dated 30.09.2016, wherein it is stated to the effect:-

*4. Now, GOI, Ministry of Personnel, PG & Pensions, Department of Pension & Pensioners' Welfare has Issued O.M, No. 38/37/08 P&PW (A) dated 06.04.2016 for delinking of Qualifying Service with pension for revision purpose. Therefore, it has been decided that w.e.f. 1.1.2006, revised consolidated pension and family pension of pre-2006 armed forces pensioners shall not be lower than 50% and 30% respectively of the minimum of the pay in the Pay band plus Grade Pay corresponding to the pre-revised scale from which the pensioner had retired/ discharged/ invalided out/died including Military Service Pay and X group pay, if any, without pro-rata reduction of pension even if they had rendered qualifying service of less than 33 years at the time of retirement. Accordingly, Para 5 of this Ministry's letter dated 11.11.2008 would stand modified to this extent.*

2. Grievance of the applicant vide the present OA whereby he had sought a weightage of 8 years for calculation of service pension and not five years, in view of the factum that he was not getting 50% of his pay as pension appears to be redressed vide the policy letter no. (1) (2) 2016-D(Pen/Pol) dated 30.09.2016 issued by the MoD, Government of India, as per with Para 4 thereof, already adverted to hereinabove. In view thereof apparently, the prayer made vide OA 687/2015 stands redressed in general. However, if the applicant is aggrieved and has not received the benefits in terms of the policy letter 30.09.2016 letter no. (1) (2) 2016-D(Pen/Pol), it would be open to applicant to seek such redressal as available in accordance with law. OA 687/2015 is disposed of accordingly.

  
**(JUSTICE ANU MALHOTRA)**  
**MEMBER (J)**

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