

**COURT NO. 2, ARMED FORCES TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**  
**(Through Video-Conferencing)**

6.

**MA 2148/2019 in OA 1883/2017**

**In the matter of :**

**Ex Sep Manvir Singh**

**... Applicant**

**Versus**

**Union of India & Ors.**

**... Respondents**

**For Applicant :** Shri Praveen Kumar, Advocate

**For Respondents :** Shri Satya Ranjan Swain, Advocate

**WITH**

7.

**MA 1420/2021 in OA 1883/2017**

**In the matter of :**

**Ex Sep Manvir Singh**

**... Applicant**

**Versus**

**Union of India & Ors.**

**... Respondents**

**For Applicant :** Shri Praveen Kumar, Advocate

**For Respondents :** Shri Satya Ranjan Swain, Advocate

**CORAM :**

**HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER(J)**

**HON'BLE VICE ADMIRAL P. MURUGESAN, MEMBER (A)**

**O R D E R**

**18.11.2021**

**MA 1420/2021**

Vide this application the applicant seeks correction in the judgment in OA No. 1883/2017 dated 7<sup>th</sup> January 2019 for submitting that it has been wrongly mentioned that applicant is entitled for "disability element of pension from the date of his Invalidment i.e. 26<sup>th</sup> April 1983" whereas "he is entitled for disability pension for this period.

During the course of arguments, counsel for the applicant has drawn the attention of the Tribunal to the original order passed by this Tribunal whereby in Para 7, the word “element of” has been scored off and therefore, it is submitted that applicant is entitled for disability pension instead of disability element.

We have seen the original order and found that the word “element of” has been scored off and the same has been initialled by one of us (Justice Sunita Gupta). It seems that the order where it was written “disability element of pension” has been sent on the website. Therefore, the respondents have paid disability element to the applicant.

That being the situation, since the Tribunal had granted disability pension to the applicant, respondents are required to pay the same.

So far as this application is concerned, same is without any merit because no correction or modification is required in the original order. The application is accordingly dismissed.

However, since the respondents have paid disability element of pension to the applicant, in compliance of the order dated 7<sup>th</sup> January 2019, they are directed to pay disability pension to the applicant. Corrigendum PPO be issued within 4 weeks.

Counsel for the respondents, however, states that the applicant is not entitled for disability pension because the applicant was invalidated after two years and he had not

completed pensionable service. This aspect is not required to be gone into because if the respondents were aggrieved by the order, same could have been challenged by them.

MA stands disposed off.

**MA 2148/2019**

In view of the order passed in MA 1420/2021, today respondents are directed to issue corrigendum PPO granting disability pension to the applicant within 4 weeks.

Re-list on **06.01.2022**.

**[JUSTICE SUNITA GUPTA]**  
**MEMBER (J)**

**[VICE ADMIRAL P. MURUGESAN]**  
**MEMBER (A)**

*/sm/ap*