

(i) OA No.3228 of 2013,
(ii)OA No.1434 of 2014; and,
(iii)OA No.1542 of 2014

**ARMED FORCES TRIBUNAL, CHANDIGARH REGIONAL BENCH
AT CHANDIMANDIR**

...

(i)OA No.3228 of 2013:

MPS Bhuttar & Another

...Applicants

Versus

Union of India & others

...Respondent(s)

...

For the petitioner : Mr.Navdeep Singh, Advocate
For the Respondent(s) : Mr.Vishal Taneja, CGC

...

(ii)OA No.1434 of 2014:

Harmohinder Singh

...Applicant

Versus

Union of India & others

...Respondent(s)

...

For the petitioner : Mr.Surinder Sheoran, Advocate
For the Respondent(s) : Mr.Rajesh Kaul, CGC

...

(iii)OA No.1542 of 2014:

Major SS Rana(Retd) and others

...Applicants

Versus

Union of India & others

...Respondent(s)

...

For the petitioner : Mr.Navdeep Singh, Advocate
For the Respondent(s) : Mr.Vishal Taneja, CGC

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**CORAM:HON'BLE MR.JUSTICE BANSI LAL BHAT , MEMBER (J)
HON'BLE LT GEN SANJIV CHACHRA, MEMBER(A)**

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ORDER

26.05.2017

These OAs are based upon an identical question of fact and law and the relief claimed therein i.e. release of service pension to officers of the rank of Major who retired prior to 2006 i.e. pre-6th Central Pay Commission (CPC) in the rank of Lt Col w.e.f. 01.01.2006, is also the same.

2. Similar controversy came up before this Tribunal in the following cases:-

- (i) OA No.90 of 2014, titled Maj (Retd) Tarlok Singh vs. Union of India & others;
- (ii) OA No.802 of 2014, titled Maj (Retd) Sant Lal Sangwan vs. Union of India & others; and,

(i) OA No.3228 of 2013,
(ii)OA No.1434 of 2014; and,
(iii)OA No.1542 of 2014

(iii) OA No.1480 of 2014, titled Major Ashok Kumar (Retd) vs. Union of India & others

which have been allowed by a common order, dated 25.05.2017. Without repeating the detailed reasoning recorded therein, we consider it suffice to say that the present OAs, which have similar facts and in which the same law point is involved for determination by this Tribunal, are fully covered by the ratio of that order. Therefore, these can also be disposed of in the same and similar terms.

3. Accordingly, these OAs are allowed. The applicants herein, who claim to have retired in the substantive rank of Major, after rendering more than 21 years of commissioned service, are held entitled to the benefit of pension in the rank of Lt Col. w.e.f. 01.01.2006 .

4. On factual verification of the aforesaid aspect, the respondents are directed to grant the requisite benefit to the applicants herein and release arrears to them from the due date i.e. 01.01.2006 within a period of three months from the date of receipt of certified copy of the order. Failure to comply with these directions within the stipulated period, shall entitle the applicants to interest @ 8% per annum from 01.01.2006 ,till the actual date of payment thereof.

5. The Registry is directed to supply certified copy of the order, dated 25.05.2017 in *Major (Retd) Tarlok Singh's case (supra)*, by which these cases are found fully covered, to the parties in these OAs alongwith this order free of cost.

6. The O.As stand disposed of accordingly.

(Sanjiv Chachra)
Member A

(Bansi Lal Bhat)
Member (J)

Chandigarh
Dated: 26.05.2017
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Whether the judgment for reference to be put on internet – Yes/ No