

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

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OA 263 of 2013

**Rasil Singh** ..... **Petitioner(s)**  
**Vs**

**Union of India & others** ..... **Respondent(s)**

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For the Petitioner (s) : Mr CD Singh Guleria, Advocate.

For the Respondent(s) : Ms Geeta Singhwal, Sr.PC.

**Coram: Justice NP Gupta, Judicial Member.**

**Air Marshal (Retd) SC Mukul, Administrative Member.**

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**ORDER  
18.01.2013**

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Issue notice.

Ms. Geeta Singhwal, Sr.PC, accepts notice.

Heard learned counsel for the parties.

The petitioner claims for grant of pension of Naib Subedar having been granted the rank of Honorary Naib Subedar after retirement, and prior to 01.01.2006. Since both the learned counsel agree that in cases of such persons entitlement to grant of pension to Naib Subedar is upheld by judgment of this Tribunal dated 08.02.2010, passed in OA No. 42 of 2010, **Virender Singh Vs. Union of India and others**, which has subsequently been followed by this Tribunal consistently apart from the fact that it has been affirmed by Hon'ble the Supreme Court.

Subsequently, Hon'ble the Supreme Court did make observation in CA Nos. 5478, 5479 and 5480 of 2011, **Union of India Vs. Sohan Lal Bawa** vide order dated 07.07.2011. That judgment has also been read with relevant Rule position by this Tribunal in judgment dated 21.10.2011, passed in bunch of cases led by **OA**

**No. 1327 of 2011, Raghbir Singh and others Vs. Union of India and others,**  
upholding the entitlement.

A look at the judgment in **Virender Singh's** case does show that directions in general nature were issued and required to be complied within the time frame, and despite that the needful having not been done, the petition is allowed, for the same reasons and granting the same relief.

Necessary verifications be made by the respondents, and on actual aspect being verified, necessary calculations and actual payments be now made to the petitioner, within a period of three months, from the date of receipt of certified copy of this order, by the learned counsel for the respondents.

**(Justice NP Gupta)**

**(Air Marshal (Retd) SC Mukul)**

18.01.2013

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