

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
JABALPUR**

20 July, 2023

CORAM :

**HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN GOPAL R, MEMBER (A)**

03.

OA 52/2020

No. 14524589M Hony Nb Sub Durga Din (Retd)

S/o Late Shri Lattu Ram,
R/o Gali No. 2 Chaturvedi Nagar,
Bhind, District Bhind (M.P).

.....Applicant

Versus

- 1. Union of India,**
Through the Secretary,
MoD, Govt of India, New Delhi.
- 2. COAS,**
IHQ of MoD (Army)
DHQ, PO New Delhi.
- 3. The OIC Records**
EME, C/o 56 APO.
- 4. PCDA (P),**
Draupadi Ghat, Allahabad (U.P.).

.....Respondents

For Applicant : Mr. KC Ghildiyal, Sr. Advocate with
Mr HC Singh and Mr Pradeep Dwivedi, Advocates

For Respondents : Mr Akash Malpani holding brief of
Mr. HS Ruprah, CGSC.

ORDER

1. The applicant had been enrolled in EME on 17.09.1975 and retired as Havildar on 30.09.1999 after rendering 24 years of service. On 26.01.2000, after retirement, the applicant had been granted the rank of Hony Nb Sub. Despite being a Hony Nb Sub, the applicant is being paid the pension of a Havildar. Hence, aggrieved, the OA has been preferred.
2. The issue regarding extension of grant of pension of Nb Sub to individuals granted the rank of Hony Nb Sub (pre 2006 retirees) is no more res-integra. Vide GoI, MoD letter No. 1(13)/2016/D/Policy dated 21.02.2020 has extended the provision of GoI, MoD letter No. 1/(8)/2008-D(Pen/policy) dated 12.06.2009 w.e.f. 01.01.2006 to all Pre-2006 retiree Havildars who were granted Hony rank of Nb Sub.
3. In these circumstances, if the pension authorized as a Nb Sub to the applicant has not been adjusted till date, the Competent Authorities are hereby directed to do the same within a period of two months from the date of receipt of copy of this order and the concerned OIC Records, to submit the completion report of the same.
4. The OA is **disposed off**. No order as to costs.

(LT GEN GOPAL R)
MEMBER (A)

(JUSTICE RAJENDRA MENON)
CHAIRPERSON