

COURT No.1, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

215.

M.A No. 1546/2017 in O.A 1677/2016

Lt. Col Shashi Chaudhari (Retd.) & Ors Applicants
Versus

Union of India & Ors. Respondents

For Applicants : Mr. Anil Srivastava, Advocate
For Respondents : Mr. Shyam Narayan, Advocate for
R 1, 3 & 7
Mr. Prabodh Kumar, Advocate for R 4 & 5
Mr. S D Windlesh, Advocate for R 2, 5 & 8

CORAM:

HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON
HON'BLE LT. GEN. SANJIV LANGER, MEMBER (A)

ORDER
02.01.2018

The instant M.A has been filed under Rule 25 of the Armed Forces Tribunal (Procedure) Rules, 2008 praying for rectification of a typographical error, which has crept in, in the order dated 30.08.2017, whereby the main O.A was disposed of allowing broad banding of the disability element of disability pension to the applicants (153 in number).

2. It is stated by counsel for the applicants that in the table attached to the order, which also contained the "date of retirement/release/discharge" of the applicants, the dates of retirement/release/discharge of some of the applicants were shown wrongly, which, it is stated, was noticed by the learned counsel while taking action for implementation of the aforesaid order.



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3. We have heard learned counsel for the parties.
4. Going through the table attached to our order dated 30.08.2017, we find that there is a typographical error in the table, wherein the dates of retirement/release/discharge of Applicant Nos. 34, 47, 50, 51, 57, 63, 64, 65, 73, 76, 82, 145, 147, 148, 149, 150, 151, 152 and 152 were shown wrongly.
5. We, therefore, allow the instant M.A and so far as Applicant Nos. 34, 47, 50, 51, 57, 63, 64, 65, 73, 76, 82, 145, 147, 148, 149, 150, 151, 152 and 152 are concerned, their dates of retirement/release/discharge shown in the table attached to the order dated 30.08.2017 are corrected as follows:

Sl. No	Name of the Applicants	Disability/war injury Element of Pension drawn	Dsability/War Injury Element of Pension broad banded	Date of Retirement /Release/ Discharge	Date of Effect of broad-banded disability/war injury element of pension	
					3 Years prior to date of filing of OA	Date of Retirement or Discharge
(1)	(2)	(3)	(4)		(5)	(6)
34.	ASHOK KUMAR JHA	20%	50%	31.08.2001	05.12.16	
47.	DALIP SINGH BISHT	30%	50%	31.01.2003	05.12.16	
50.	NARENDER SINGH SAHI	40%	50%	31.10.2000	05.12.16	
51.	SAMARENDRA KUMAR DAS	20%	50%	31.05.2000	05.12.16	
57.	RAGHWENDRA SINGH	20%	50%	31.12.2001	05.12.16	
63.	S P MALHOTRA	30%	50%	30.06.1989	05.12.16	
64.	D K NARASIMHA NAIK	20%	50%	30.09.2001	05.12.16	
65.	M RAGHAVAN	30%	50%	31.05.2006	05.12.16	
73.	DEVA DAS JESUDAS	30%	50%	30.06.1989	05.12.16	
76.	PA BALA KRISHNAN	40%	50%	31.07.2001	05.12.16	
82.	DURGADAS MUNSHI	20%	50%	31.01.2002	05.12.16	
145	PRASHU RAM	30%	50%	31.01.2007	05.12.16	
147	RV IYER	20%	50%	30.11.1995	05.12.16	
148	MILIND PANDURANG SURANGE	20%	50%	30.09.2013		01.10.13
149	MANOJKUMAR GAJENDRA MEHTA	30%	50%	30.11.2015		01.12.15
150	INDRA PAL SINGH	30%	50%	30.11.2012	05.12.16	
151	K GOVINDAN NAIR	20%	50%	31.03.1991	05.12.16	
152	RAJANEESAN K	20%	50%	31.01.2001	05.12.16	
153	RAJYA PAL	30%	50%	31.03.2011	05.12.16	



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While implementing the order dated 30.08.2017, so far as Applicant Nos. 34, 47, 50, 51, 57, 63, 64, 65, 73, 76, 82, 145, 147, 148, 149, 150, 151, 152 and 152 are concerned, their dates of retirement/release/discharge will be as shown in the table herein above. So far as the dates of retirement/release/discharge of the other applicants are concerned, the dates of retirement/release/discharge will be the same as shown in the table attached to the order 30.08.2017.

6. The instant M.A stands allowed, to the above extent.

^{rsd/1-}
(VIRENDER SINGH)
CHAIRPERSON

^{rsd/1-}
(SANJIV LANGER)
MEMBER (A)

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