

**COURT No.2, ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

15.

OA 789/2017 with MA 633/2017

**Ex sub Maj/Hony Lt Tshering Dadul Bhutia & Ors..... Applicants**

**Versus**

**UOI & Ors.**

**..... Respondents**

**For petitioner : Mr. Anil Srivastava, Advocate**

**For respondents : Mr. Tuhin, Advocate**

**CORAM:**

**HON'BLE MR. JUSTICE B.P. KATAKEY, MEMBER**

**HON'BLE LT. GEN. S.K SINGH, MEMBER**

**ORDER**

**30.05.2017**

**MA 633/2017**

1. Having heard the learned counsel for the applicant and upon perusal of the averments made in the MA, the prayer of the applicants seeking permission to join together is allowed.

2. MA is, accordingly, allowed.

**OA 789/2017**

1. Heard Shri Anil Srivastava, learned counsel for the applicant as well as Shri Tuhin, learned counsel appearing for the respondents.

2. The applicants, who were Sub Major/Hony Lt./Captain, have filed this application claiming a direction to the respondent authorities to grant pension in the said rank with effect from 01.01.2006 with interest and cost.

3. Shri Srivastava, learned counsel appearing for the applicants, has submitted that claiming the relief though the applicants have sent a notice dated 10.12.2016 (Annexure A 1 to OA), the said notice has not been answered till date and hence, the OA may be disposed of directing the respondents to dispose of the same.

4. The learned counsel appearing for the respondents submits that in case such notice has been issued, the same will receive due consideration and necessary order would be passed by the respondents.
5. Having regard to the aforesaid submission advanced, we dispose of the OA directing the respondents to dispose of the notice dated 10.12.2016 and to communicate result of the same to the applicants. The same shall be done within a period of four months from the date of receipt of a copy of this order.
6. OA is, accordingly, disposed of.

**(B.P.KATAKEY)**  
**MEMBER (J)**

**(LT GEN S.K. SINGH)**  
**MEMBER (A)**

30.05.2017brh