

**IN THE ARMED FORCES TRIBUNAL,  
REGIONAL BENCH, GUWAHATI**

**MA-18/2018**  
**(IN OA-26-2018)**

No.4376138A Recruit  
M Dinakanta Singh  
Vill Phubala,PO Bishnupur  
Dist. Bishnupur, Manipur.

..... Applicant.

**By legal practitioners for  
Applicant.**

Mrs Rita Devi  
Mr A.R.Tahbildar

**-Versus-**

1.Union of India  
Represented by the Secretary  
Ministry of Defence,  
Sena Bhawan, New Delhi-11.

2.Records the Assam Regiment  
Pin (Amy) 9000332 C/O 99 APO

3.Additional Directorate General  
Personnel Services, PS 4(d)  
Adjutant General's Branch  
IHQ of MOD(Army),DHQ PO New Delhi

4.The Principal Controller of Defence  
Accounts(Pension) Allahabad-211014,  
Pin 211014, UP.

.... Respondents

**By legal practitioner for  
Respondents.**

Mr. D.C.Chakravarty ,CGSC

**PRESENT**

**HON`BLE DR.(MRS) JUSTICE INDIRA SHAH, MEMBER (J)**  
**HON`BLE LT GEN GAUTAM MOORTHY, MEMBER (A)**

**ORDER**

**18.12.2018**

1. Heard Mr. AR Tahbildar, learned counsel appearing for the applicant and Mr D.C.Chakravarty, learned CGSC assisted by Capt. Akash Vashishta, OIC,AFT, Legal Cell, appearing for the respondents.

2. By filing this application under section 22(c) of the Armed Forces Tribunal Act,2007, the applicant has prayed for condonation of delay of 3 years 7 months 15 days in filing the Original Application No. 26-2018.

3. OA 26-2018 has been filed claiming disability element of pension. As the matter pertains to pension, which occurs month to month and is a continuing cause of action, we are inclined to allow the application for condonation of delay in filing OA 26-2018.

4. Delay as prayed for is accordingly condoned.

5. Misc. application stands disposed of.

**MEMBER (A)**

**MEMBER (J)**

MC