

# THE ARMED FORCES TRIBUNAL

REGIONAL BENCH, GUWAHATI

OA-04/2015

Ex.Sep Mayangtenjen AO

Applicant

**By legal practitioners for  
Applicant**

Mr.T.Imti Longcher

- Versus -

UOI and Others

Respondents

**By legal practitioner for  
Respondents**

Mr S.Bhattacharjee CGSC

P R E S E N T

HON'BLE MR.JUSTICE B.P.KATAKEY, MEMBER(J)  
HON'BLE AIR MARSHAL D.C.KUMARIA, MEMBER ((A))

04.03.2016

Heard Mr. T.Imti Longcher, learned counsel appearing for the applicant. Also heard Ms M.Bhattacharjee, learned counsel representing the, learned CGSC assisted by Col.Anand, OIC, AFT Legal Cell, Guwahati, appearing for the respondents.

[1] The applicant has filed the present OA praying for grant of reservist pension contenting, *inter alia*, that though he was enrolled in the Army on 18.09.1958 and his name was transferred to reservist service w.e.f .24.07.1966, thereby rendering 7 years 10 months 6 days of active service, he has not been paid the reservist pension by refusing to count the reservists service period w.e.f. 24.7.1966 to 21.0.1974 i.e. for the period of 8 years 3 months 3 days.

[2] The contention of the respondents in

the counter affidavit filed is that the applicant having not reported for biennial training in 1970, he is not entitled to reservist pension ,he having not completed 15 years of service ,which include colour service as well as reservist service.

[3] During the course of hearing, it has been brought to the notice of this Tribunal that though the applicant did not report for biennial training scheduled in the year 1970 for whatsoever reason, he was dismissed from service on 21.04.1974 ( Annexure –A to counter affidavit filed by the respondents..

[4] In the counter affidavit filed no reason ,however, has been cited why the applicant was not dismissed and his name has not been struck off from the reservists service immediately after he did not report in the biennial training in 1970 and awaited till 21.10.1974 for dismissing him from service.

[5] The respondents, therefore, on the next date fixed shall apprise this Tribunal about the same.

[6] List on 28.03.2016 for hearing. The matter, however, shall not be treated as part- heard.

[7] On the next date fixed, an attempt shall be made to take up the OA for final disposal.

[8] Order dasti.

**MEMBER (A)**

**MEMBER(J)**

MC