

Notes of the Registry	Orders of the Tribunal.
	<p style="text-align: center;">IN THE ARMED FORCES TRIBUNAL REGIONAL BENCH, GUWAHATI.</p> <p style="text-align: center;"><u>MA – 71/2016</u> (In OA-75/2016)</p> <p>Ex-Sep KL Solomon Anal.</p> <p style="text-align: right;">.....Applicant. By legal practitioners for Applicant. Mrs Rita Devi, Mr. AR Tahbildar.</p> <p style="text-align: center;">-Versus-</p> <p>UOI & Others.</p> <p style="text-align: right;">.....Respondents By legal practitioners for Respondents.CGSC.</p> <p style="text-align: center;"><u>PRESENT</u> HON`BLE MR. JUSTICE B.P.KATAKEY, MEMBER (J) HON`BLE VICE ADMIRAL MP MURALIDHARAN, MEMBER (A)</p> <p style="text-align: center;"><u>ORDER</u></p> <p><u>20.03.2017.</u></p> <p>Heard Mr. AR Tahbildar, learned Counsel for the applicant and Mr. C.Barua, learned Central Govt. Standing Counsel, assisted by Col Anand, OIC, Legal Cell, Guwahati appearing for the respondents.</p> <p>2. The applicant has filed this application seeking condonation of delay in filing O.A. 75/2016 contending, inter alia, that since the claim of the applicant in the O.A. is for disability element of the pension, the delay may be condoned.</p> <p>3. The prayer for delay has been opposed by</p>

the learned Counsel for the respondents contending, inter alia, that since the applicant has failed to demonstrate any sufficient case in not filing the O.A. within time, the delay may not be condoned.

4. The claim of the applicant in the O.A. for disability element of the pension is based on continuing cause of action, which arises every month.

5. Hence, the M.A. stands disposed of with the observation that if the applicant is found to be entitled to the relief claimed in the O.A., the arrear may be restricted for a period of 3 (three) years preceding the date of filing of the O.A.

5. M.A. accordingly stands disposed of.

MEMBER (A)

MEMBER (J)

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