ORDER 10.11.2016. 1. Heard Mr. AR Tahbildar, learned counsel appearing for applicant and Mr. N. Baruah, learned CGSC assisted by Anand, OIC, Legal Cell, AFT, Guwahati appearing for respondents. 2. The applicant has filed this MA seeking condonations delay in filing the OA claiming the benefit of broad bath disability element of the pension contending inter-alia that	Notes of the Registry	Orders of the Tribunal.					
(in OA- 44/2016) Ex-NK (TS) Kapthang Applicant. By legal practitioners for Applicant. Mrs Rita Devi, Mr. AR Tahbildar, Ms SJ Deka -Versus- UOI & Others. Respondents By legal practitioners for Respondents. Mr. N. Baruah, CGSC. PRESENT HON BLE MR. JUSTICE B.P.KATAKEY, OFFICIATING CHAIRPERS HON BLE LT GEN S.K.SINGH, PVSM, LVSM, AVSM, ADC, MEMBER (ORDER) 1. Heard Mr. AR Tahbildar, learned counsel appearing for applicant and Mr. N. Baruah, learned CGSC assisted by Anand, OIC, Legal Cell, AFT, Guwahati appearing for respondents. 2. The applicant has filed this MA seeking condonating the benefit of broad bandisability element of the pension contending inter-alia that	J J						
Applicant. By legal practitioners for Applicant. Mrs Rita Devi, Mr. AR Tahbildar, Mrs SJ Deka -Versus- UOI & Others. -Versus- -Versus- -Versus- -Versus- -Versus- -Versus- -Versus-		(in OA- 44/2016)					
By legal practitioners for Applicant. Mrs Rita Devi, Mr. AR Tahbildar, Mrs SJ Deka -Versus- UOI & Others. Respondents By legal practitioners for Respondents. Mr. N. Baruah, CGSC. PRESENT HON BLE MR. JUSTICE B.P.KATAKEY, OFFICIATING CHAIRPERS HON BLE LT GEN S.K.SINGH, PVSM, UYSM, AVSM, ADC, MEMBER (ORDER) 1. Heard Mr. AR Tahbildar, learned counsel appearing for applicant and Mr. N. Baruah, learned CGSC assisted be Anand, OIC, Legal Cell, AFT, Guwahati appearing for respondents. 2. The applicant has filed this MA seeking condonating the benefit of broad bas disability element of the pension contending inter-alia that							
UOI & Others. Respondents By legal practitioners for Respondents. Mr. N. Baruah, CGSC. PRESENT HON'BLE MR. JUSTICE B.P.KATAKEY, OFFICIATING CHAIRPERS HON'BLE LT GEN S.K.SINGH, PVSM, UYSM, AVSM, ADC, MEMBER (ORDER 10.11.2016. 1. Heard Mr. AR Tahbildar, learned counsel appearing for applicant and Mr. N. Baruah, learned CGSC assisted b Anand, OIC, Legal Cell, AFT, Guwahati appearing for respondents. 2. The applicant has filed this MA seeking condonatic delay in filing the OA claiming the benefit of broad ba disability element of the pension contending inter-alia that		By legal practitioners for Applicant. Mrs Rita Devi, Mr. AR Tahbildar,					
Respondents By legal practitioners for Respondents. Mr. N. Baruah, CGSC. PRESENT HON'BLE MR. JUSTICE B.P.KATAKEY, OFFICIATING CHAIRPERS HON'BLE LT GEN S.K.SINGH, PVSM, UYSM, AVSM, ADC, MEMBER (ORDER) 10.11.2016. 1. Heard Mr. AR Tahbildar, learned counsel appearing for applicant and Mr. N. Baruah, learned CGSC assisted be Anand, OIC, Legal Cell, AFT, Guwahati appearing for respondents. 2. The applicant has filed this MA seeking condonational delay in filing the OA claiming the benefit of broad ba disability element of the pension contending inter-alia that		-Versus-					
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		delay in filing the OA claiming the benefit of broad banding disability element of the pension contending inter-alia that since the claim for disability pension is based on continuing cause of action, which arises every month, the delay needs to be					

3. Having heard the learned counsel for the parties and
upon perusal of the averments made in the application and also
the claim of the applicant made in the OA which is for broad
banding of disability element of the pension, we are of the
considered opinion that since the claim in the OA is based on a
continuing cause of action, which arises every month, the MA
needs to be disposed of with the observation that in case the
applicant is found to be entitled to the claim made in the OA, the
arrear may be restricted for a period of 03 years preceedig the
date of filing of the OA or the date of filing of the representation,
whichever occurs earlier.

4. MA is accordingly disposed of.

MEMBER (A) OFFICIATING CHAIRPERSON

Kalita