

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

MA- 36/2017
(In OA-45/2017)

Chandam Ranjan Kumar Singh (Ret)
No. IC-30757X COL (TS),
Thangmeiband D.M.College Gate,
THAU Leirak, Imphal West,
P.O. Lamphel Manipur,
Pin- 795005.

.....**Applicant.**
By legal practitioners
for Applicant.
Mrs. Rita Devi,
Mr. AR Tahbildar.

-Versus-

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

2. **Additional Directorate General**
Personnel Services, PS-4(d) (Imp-II),
Adjutant General's Branch,
IHQ of MoD (Army), DHQ, New Delhi.

3. **The Principal Controller of Defence**
Accounts (Pension), Allahabad, Pin 211014,
Uttar Pradesh.

....**Respondents**
By legal practitioners
for Respondents.
Mr D.C.Chakravarty, CGSC.

PRESENT
HON`BLE DR. (MRS) JUSTICE INDIRA SHAH, MEMBER (J)
HON`BLE LT GEN C.A.KRISHNAN, MEMBER (A)

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ORDER
21.02.2018

(By Lt Gen C.A.Krishnan)

This Miscellaneous Application has been filed for condonation of delay of 9 years 2 months in filing the Original Application No. 45/2017.

2. Having heard the learned Counsel for the applicant we have convinced that the applicant`s case for broad banding element of pension which is based on a continuing cause of action and which arises every months, the delay in filing the OA needs to be condoned. The MA is accordingly allowed 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 3 (three) years preceding the date of filing of the OA or the date of filing of the representation, which ever occurs earlier.

3. M.A. is accordingly disposed of.

MEMBER (A)

MEMBER (J)

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