

Notes of the Registry	Orders of the Tribunal
	<p style="text-align: center;">IN THE ARMED FORCES TRIBUNAL REGIONAL BENCH, GUWAHATI MA-23/2019 (OA-32/2019)</p> <p>Ex-Sub M Tomba Singh</p> <p style="text-align: right;">..... Applicant By legal practitioners for Applicant.</p> <p style="text-align: center;">Mr AR Tahbildar</p> <p style="text-align: center;">-Versus-</p> <p>UOI & Others.</p> <p style="text-align: right;">..... Respondents By legal practitioner for Respondents. Mr PK Garodia, CGSC</p> <p style="text-align: center;"><u>PRESENT</u> HON`BLE DR. (MRS) JUSTICE INDIRA SHAH, MEMBER (J) HON`BLE LT GEN C.A. KRISHNAN, MEMBER (A) <u>ORDER</u> <u>07.08.2019</u></p> <ol style="list-style-type: none"> 1. This application under Section 22(c) of the Armed Forces Tribunal Act, 2007 has been filed for condonation of delay of 13 years 03 months 12 days in filing the OA. 2. Heard Mr AR Tahbildar, learned counsel appearing for the applicant. Also heard Mr PK Garodia, learned CGSC assisted by Capt. Nisha Thomas, OIC AFT Legal Cell, Guwahati appearing for the respondents. 3. The applicant has claimed for disability element of disability pension with rounding off benefit. It is submitted that the applicant hails from an interior village of Manipur and after discharge from service, he permanently settled in his native village. He was not aware of the establishment of this Tribunal and his right of claiming disability element of pension with rounding off benefits. 4. Since the matter pertains to disability element of disability pension and as per settled law, we are inclined to condone the delay of 13 years 03 months 12 days in filing the Original Application subject to condition that at the event, OA filed by him is allowed, his claim shall be restricted to 3 years prior to the date of filing of the OA. 5. Accordingly, the MA application is allowed and disposed of. <p style="text-align: center;">MEMBER (A) MEMBER (J)</p> <p>Mdas</p>