

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

MA-21/2018
(IN OA-35-2018)

NO.136933321 Ex Nk Md Badijamal
Vill Lalang PO Pailapool The Silchar
Dist Cachar Assam-788098.

..... Applicant.

**By legal practitioners for
Applicant.**

Mrs Rita Devi
Mr A.R.Tahbildar

-Versus-

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

2.Records the Assam Regiment
Pin (Amy) 9000332 C/O 99 APO

3.Additional Directorate General
Personnel Services, PS 4(d)
Adjutant General's Branch
IHQ of MOD(Army),DHQ PO New Delhi

4.The Principal Controller of Defence
Accounts (Pensions) Allahabad
Pin 211014, UP.

.... Respondents

**By legal practitioner for
Respondents.**

Mr. C.Baruah ,CGSC

PRESENT

HON`BLE DR.(MRS) JUSTICE INDIRA SHAH, MEMBER (J)
HON`BLE LT GEN GAUTAM MOORTHY, MEMBER (A)

ORDER

18.12.2018

1. Heard Mr. AR Tahbildar, learned counsel appearing for the applicant and Mr C.Baruah, learned CGSC assisted by Capt. Akash Vashishta, OIC,AFT, Legal Cell, appearing for the respondents.

2. By filing this application under section 22(c) of the Armed Forces Tribunal Act, 2007, the applicant has prayed for condonation of delay of 6 months 10 days in filing the Original Application No. 35-2018.

3. OA 35-2018 has been filed claiming disability element of pension. As the matter pertains to pension, accrual of which is a continuing cause of action, we are inclined to allow the application for condonation of delay in filing OA 35-2018.

4. Delay as prayed for is accordingly condoned.

5. Misc. application stands disposed of.

MEMBER (A)

MEMBER (J)

MC