

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI
(Sl. No. 9)

O.A. No. 19 of 2020

Ex. Hony. Nb. Sub. N.L. Angkhun Anal Applicant
By Legal Practitioner for the Applicant : Shri A.R. Tahbildar, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : Shri P.J. Barman, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>05.04.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Air Marshal Balakrishnan Suresh, Member (A)</u></p> <p style="text-align: center;">Heard Shri A.R. Tahbildar, Ld. Counsel for the applicant and Shri P.J. Barman, Ld. Counsel for the respondents.</p> <p style="text-align: center;">This Original Application has been filed for the grant of revised rate of service pension to the applicant in the rank of Hony. Naib Subedar in view of Government of India, Ministry of Defence, Department of Ex-Servicemen Welfare, New Delhi letter No. 3(8)/2013/D(Pension/Legal) dated 30.10.2017.</p> <p style="text-align: center;">It is further submitted that after the filing of this Original Application the respondents have revised the service pension of the applicant to the rank of Hony. Naib Subedar, however, the amount which is being received by him is not correct, therefore, a direction may be issued to the respondents to correct the service pension of the applicant in the rank of Hony. Naib Subedar w.e.f. 01.09.2009 as in the case of others.</p> <p style="text-align: center;">Ld. Counsel for the respondents, on the other hand, submits that service pension of the applicant in the rank of Hony. Naib Subedar has been correctly fixed and there being no discrepancy therein, the same does not require to be corrected.</p> <p style="text-align: center;">Upon hearing submissions of Ld. Counsel of both sides we find that so far as the grievance raised by the applicant for the grant of revised service</p>

pension in the rank of Hony. Naib Subedar the same has been redressed. The issue now remains is regarding correct fixation of service pension w.e.f. 01.09.2009 which according to the respondents is correct.

However, the applicant is disputing it saying that he is being paid less @Rs.1,052/- per month w.e.f. 01.09.2009, Rs.1,004/- per month with effect from 01.07.2014, Rs.2,5,80/- per month w.e.f. 01.01.2016 and Rs.1,075/- per month w.e.f. 01.07.2019, to which applicant himself submits that he will file a representation to the respondents to get his service pension corrected.

In view of the above, the Original Application is **disposed off** with direction to the respondents that in case applicant files any representation regarding correction of service pension in the rank of Hony. Naib Subedar w.e.f. 01.09.2009 and onwards the same will be decided by a speaking and reasoned order within a period of four months from the date of receipt of representation under intimation to the applicant.

(Air Marshal Balakrishnan Suresh)
Member (A)

(Justice Umesh Chandra Srivastava)
Member (J)

AKD/MC/-