

ARMED FORCES TRIBUNAL, REGIONAL BENCH, CHENNAI

O.A.No.36 of 2013

Tuesday, the 20th day of August, 2013

THE HONOURABLE JUSTICE V. PERIYA KARUPPIAH
(MEMBER-JUDICIAL)

AND

THE HONOURABLE LT GEN (RETD) ANAND MOHAN VERMA
(MEMBER-ADMINISTRATIVE)

Mohammed Fazlul Haq, S/o. Muhammad Ali,
Aged 73 years, Occ: Ex-Serviceman No.6601328
R/o. Chandole (Village & Post)
Pitlavanipalem Mandal, Guntur District,
Andhra Pradesh.

... Applicant

By Legal Practitioners:
M/s. K. Ramakoteswara Rao,
B. Naganjaneyulu, K. Jagadish

Vs.

1. The Union of India,
Rep. by its Secretary,
Ministry of Defence,
New Delhi.
2. The Chief of Army,
Government of India,
New Delhi.
3. The Principal Controller of
Defence Accounts (Pension),
Allahabad, Uttar Pradesh.
4. The Record Officer,
Sema Seva Corps Abhilekh (Dakshin)
ASC Records (South)
Bangalore-560 007, Karnataka.

... Respondents

Mr. B. Shanthakumar, SPC

ORDER

[(Order of the Tribunal made by
Hon'ble Justice V. Periya Karuppiah,
Member(Judicial)]

1. This application is filed by the applicant praying to set aside the impugned proceedings of the 4th respondent vide letter No.7301/GM/DP-III dated 4.11.2009 as illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India, violation of principles of natural justice and consequently to direct the respondents to grant disability pension to the applicant with interest from the date of discharge i.e. 8.9.1968 and to pass such other order in the facts and circumstances of the case.

2. The factual matrix of the applicant's case would be as follows :-

The applicant joined in the Indian Army on 21.9.1960 as a Driver (Mechanical Transport) after being thoroughly examined by the Army Medical officers and been found fit for enrolment. The applicant participated in War Service twice during 1965 to 1967. The applicant sustained knee injury to his left knee due to fall from a height in the month of August, 1967 and he took treatment. He was diagnosed to have suffered from "Osteo Arthritis" which was at an early stage. The applicant was however

discharged from service on medical grounds i.e. "EEE" on 8.9.1968 by AMC Records. The 4th respondent recommended the claim of disability pension of the applicant to the 3rd respondent in his letter No.660/528/DP/PEN during September, 1968, but the 3rd respondent did not grant any pension. However, the 4th respondent in his letter No.660/528/DP/PEN dated 8.1.1969, informed the applicant that the disability was neither attributable to nor aggravated by military service and, therefore, the said claim of disability pension was rejected by the 3rd respondent in its Order dated 23.12.1968. There was no indication in the said letter that the applicant can prefer appeal before the 1st respondent against the said Order. Thereafter, the applicant was making representations continuously to the respondents, but the claim of the applicant for disability pension was rejected by the sanctioning authority. Therefore, he filed a Writ Petition in W.P.No.21342/2004 on the file of High Court of Andhra Pradesh, Hyderabad, challenging the non-sanction of disability pension and the same was dismissed on 2.12.2004. Against the said dismissal, he filed an appeal in W.A.No.2134/2004 before the Andhra Pradesh High Court and the Division Bench of the said Court disposed the Writ Appeal with a recommendation to the 1st respondent to grant the claim of disability pension of the applicant by relaxing the relevant Rule. On the foot of the said Order, the applicant made a requisition to the respondents and the same was replied by the 4th respondent through its letter No.6601328/CC-2/Legal Cell dated 4.4.2006, that the medical documents of the applicant were destroyed after the expiry

of mandatory retention period of 25 years and was asked to forward copies of medical documents, if any, possessed by the applicant. The applicant had also submitted representation before Hon'ble President of India, which was placed before The Directorate General of Supplies and Transport Quartermaster General's Branch, Integrated HQ of MOD (Army) DHQPO, New Delhi, and he replied that the applicant did not complete minimum 15 years of service for the grant of service pension as per Rule-132 of Pension Regulations for the Army, 1961, and the disability pension claim cannot be ascertained at the said belated stage since his service documents were destroyed. The 4th respondent had finally sent a letter dated 4.11.2009 to the applicant that the disability pension claim of the applicant was rejected by the 3rd respondent, against which the applicant filed O.A.No.71 of 2012 on the file of this Tribunal to set aside the impugned proceedings of the 4th respondent dated 4.11.2009. The respondents filed Reply Statement and contested the case. The said application was dismissed as withdrawn giving liberty to the applicant to file a separate application on a different cause of action by setting forth the correct facts. Accordingly, the applicant filed the present application for the grant of disability pension on the disability of 'Epilepsy'. The disease of the applicant i.e. Epilepsy was caused due to the military service conditions and, therefore, it is attributable to and aggravated by military service. The applicant, therefore, requests the Tribunal to grant disability pension as asked for by the applicant after relaxing the rules as

directed by Hon'ble Andhra Pradesh High Court in the Writ Appeal No.2134/2004. Accordingly the application may be allowed.

3. The objections raised by the respondents in the Reply Statement would be as follows :-

The service documents in respect of 6601328 Ex Sepoy Mohammed Fazlul Haq had already been destroyed on expiry of mandatory retention period of 25 years for a non-pensioner as per Rule-595 of Regulation for the Army, 1987. As per the Register available with the respondents regarding the details, the applicant was found to have been discharged from service for his disability 'Epilepsy'. Since there was no record available with the respondents regarding the attributability and aggravability of the disease by the services, it cannot be said that the applicant was entitled to the disability pension. The Pension Sanctioning Authority had also dismissed the claim of the applicant for his disability 'Epilepsy' through its letter dated 23.12.1968. Without the relevant records, the disability claim of the applicant cannot be granted. The petition filed by the applicant before Andhra Pradesh High Court in W.P.No.21342/2004 for the same relief which was dismissed on 2.12.2004, and the appeal preferred against the said Order in W.A.No.2134/2004 was disposed of with directions to the applicant to make a representation to the 1st respondent seeking for grant of disability pension by relaxing the relevant rules. The representation of the applicant as per

the above direction was examined by the Ministry of Defence and the factual position was intimated to the applicant vide letter No.78402/South/MOD/Q/IV/ST 12 dated 3.5.2007. The application filed in O.A.No.71/2012 for the same relief before this Tribunal was dismissed on 6.3.2013 as withdrawn with liberty to file fresh application. The Order passed in Writ Appeal No.2134/2004 operates as *res judicata* in the present Original Application as the matter is directly and substantially the same issue which is once again brought before the Hon'ble AFT. The service documents of the applicant were already destroyed on expiry of mandatory retention period of 25 years, being a non-pensioner. However, as per Long Roll No.59, the applicant was found enrolled in the Army on 21.9.1960 and was discharged with effect from 8.9.1968 on medical grounds. As per the Register containing the details of the petitioners, the applicant was found discharged from the service for the disability 'Epilepsy'. The disability claim of the applicant was adjudicated by the Pension Sanctioning Authority based on the findings of the Medical Board as not attributable to or aggravated by military service and was rejected in its letter No.G3/CA/68/6115/III dated 23.12.1968. The issues raised by the applicant about his service in a particular area cannot be commented upon by the respondents in the absence of records. The said claim of disability pension was rejected on the basis that the disability was not attributable to or aggravated by military service and being a constitutional one. The primary conditions for getting disability pension as per Para-173 of Pension Regulations for the Army, 1961 (Part-I)

are not available to the applicant. Therefore, the claim of the applicant for the grant of disability pension after setting aside the impugned letter dated 4.11.2009 need not be ordered and the application may thus be dismissed.

4. On the pleadings submitted on either side, the following points were found emerged for consideration :-

- 1) Whether the applicant is entitled for the disability pension as sought for by him ?
- 2) Whether the claim of the applicant is affected by doctrine of 'res judicata' ?
- 3) To what relief the applicant is entitled for ?

5. Heard Mr. K. Ramakoteswara Rao, Learned Counsel for the applicant and Mr. B. Shanthakumar, Learned Senior Panel Counsel, assisted by Major Jitender Singh, Learned JAG Officer appearing for the respondents.

6. The Learned Counsel for the applicant would submit in his argument that the applicant was enrolled in the army on 21.9.1960 as a Driver and was discharged from service on medical grounds for the disability 'Epilepsy' on 8.9.1968. He would further submit that the claim of the

applicant for disability pension was negated by the respondents in the year 1968 and the applicant was not advised to go for appeal and, therefore, he was continuously corresponding with the respondents and finally filed a Writ Petition before Hon'ble High Court of Andhra Pradesh in W.P.No.21342/2004, which was dismissed. However, he filed an appeal in W.A.No.2134/2004 in which the High Court of Andhra Pradesh had disposed of the said appeal by giving liberty to the applicant to make a representation to the 1st respondent seeking for the grant of disability pension by relaxing the relevant rule. He would also submit that the representation made by the applicant in pursuance of the Order passed by the Hon'ble Andhra Pradesh High Court was not granted by the respondents, but was rejected on the ground that the service records of the applicant were destroyed as per the statutory requirements under Rule-595 of Regulation for the Army, 1987, a mandatory rule. The said reason given by the respondents are not correct and was not in consonance of the direction of the Andhra Pradesh High Court made in W.A.No.2134/2004 dated 19.8.2005. He would further submit that the respondents have admitted that the applicant was discharged on medical grounds for the disability of Epilepsy and the applicant was graded at medical category 'EEE' and, therefore, the presumption would be that the disability of the applicant was due to military service. It is also not disputed by the respondents that the disability of the applicant was assessed at 20% as per the Register containing the details of pensioners and, therefore, the respondents ought to have granted disability pension either from the date of

his discharge or from three years prior to the date of filing of the Writ Petition before the Andhra Pradesh High Court. He would also submit that the long delay and laches on the part of the claim of the applicant could not be raised by the respondents since the applicant was permitted by the High Court of Andhra Pradesh in the Order dated 19.8.2005 made in W.A.No.2134/2004. He would, therefore, request us to grant disability pension to the applicant as sought for in the application after setting aside the impugned Order rejecting the disability pension dated 4.11.2009.

7. The Learned Senior Panel Counsel would submit in his argument that the claim of the applicant for disability pension was rejected by the 1st respondent on the representation of the applicant made in pursuance of the Judgement of Hon'ble Andhra Pradesh High Court made in W.A.No.2134/2004, by its letter dated 15.12.2006 produced in Annexure R-VI and the Order challenged in this application was a letter subsequently informing the applicant about the rejection of disability pension. He would further submit that without setting aside the earlier Order, the applicant cannot seek for the quashment of the impugned Order dated 4.11.2009. He would also submit that the applicant cannot seek the protection of the Judgement of the Andhra Pradesh High Court made in W.A.No.2134/2004 since it had directed the 1st respondent to consider the representation of the applicant for disability pension after relaxing Rule-198 of Pension Regulations for the Army, 1961 (Part-I), the minimum period of qualifying

service actually rendered and required for the grant of disability pension is 10 years and the applicant had completed 7 years 11 months and 19 days service and was directed to make a representation to the respondents to relax the relevant rule in the facts and circumstances of the case. He would further submit that the rule as envisaged under Rule-198 of Pension Regulations for the Army, is not applicable to the applicant since he has claimed disability pension on the basis of disability of Epilepsy assessed at 20% under which he was boarded out of service. Therefore, the representation of the applicant was rightly considered for compliance under Regulation-173 of Pension Regulations for the Army, 1961 (Part-I) and since he was not eligible under the said Rule, the claim of the applicant was rejected. He would also submit that the applicant cannot lay a claim for disability pension having said that he was not a disabled person as prayed for in the Writ petition. He would further submit that the applicant sought for reinstatement in the Writ Petition by stating that he was not a disabled person but was boarded out of service on medical invalidation and also for disability pension on the foot of the liberty given by Hon'ble High Court of Andhra Pradesh. He would further submit that the claim of the applicant cannot be sustained in view of the Judgement of Delhi High Court made in CMNo.2063/93 and CW No.1267/1993 dated 31.7.1995 in between **Hans Ram Vs. Union of India and others**. Relying upon the said Judgement, he would further submit in his argument that when the service records of the applicant are not available to verify the correct facts and place the same

before the Court, the entertaining of such petitions would tantamount to opening a pandora's box creating serious financial and other complications. He would, therefore, request the Tribunal that the claim of the applicant for disability pension which was rejected for not having any attributability or aggravability to military service cannot be reopened since the service records of the applicant were not available for verification. He would also submit that the applicant had come to Court with the pleadings that he was boarded out of service for the disability 'Osteo Arthritis' and subsequently he had taken the stand that he was medically invalided out of service due to the disability of Epilepsy and, therefore, he did not come to Court with clean hands and on that aspect also he should be non-suited in view of the Judgement of Hon'ble Apex Court reported in **AIR 1994 SC 579** in between **Chancellor and another Vs. Dr. Bijayanand Kar and others**. Therefore, he would request us to dismiss the application.

8. We have given anxious thoughts to the arguments advanced on either side. We have also perused the records.

9. **Points No.1&2:** The applicant has come forward with this application for the grant of disability pension for the discharge effected against him on medical invalidation done in the year 1968. According to the admitted facts, the applicant was enrolled in the army on 21.9.1960 as a 'Driver' and was

discharged from service on medical grounds i.e. on 8.9.1968 by AMC Records, Aurangabad, State of Maharashtra. The medical disability referred for invalidation of the applicant was 'Epilepsy' as per the Register containing the details of pensioners produced in Annexure R-IV. In the said document, the claim of the applicant was rejected on 23.12.1968 and the percentage of disablement was assessed at 20%. The Long Roll of the applicant alone was said to be preserved since the applicant being a non-pensioner, his service records were said to have been destroyed after 25 years of mandatory retention period as per Rule-595 of Regulation for the Army, 1987. Therefore, it is quite clear that the service documents are not available to consider the claim of the applicant as to whether his disability was only due to military service. Whether this can be considered in favour of the applicant or the respondents is the question.

10. After 1968, when the applicant was discharged from service on medical invalidation, the applicant had launched his legal battle only in the year 2004 by filing a Writ Petition before the Andhra Pradesh High Court in W.P.No.21342/2004 for the following reliefs :-

"To issue a direction, orders or a writ, more appropriately one in the nature of a Writ of Mandamus directing declaring the action of the respondents herein; "Declare the action of the

Respondent No.2 of wrongly invalidating the petitioner herein from service on 08.09.1968 on the grounds of having contracted the disease IDIOPATHIC EPILEPSY (International Code, 353) which the petitioner herein had never suffered from prior to, during and after discharge from Army Service and thus denying to the petitioner herein his statutory Right to Service Till the age of superannuation and also denying Service Pension/Disability pension to the petitioner herein vide his proceedings No.7301/Pen/Disb dt. 28.Jul,2004 on the grounds of having served only 7 years 11 months and 19 days of service, i.e., less than pensional service, as being contrary to Pension Regulations for the Army 1961 and therefore ULTA VIRES the Rights of the petitioner under the provisions of Article 14, 16 & 21 of the Constitution of India and consequently a direction to issue to the Respondents to grant unto the petitioner herein Disability Pension in terms of Pension Regulations for the Army 1961 w.e.f. 08.09.1968 and pay un to him the arrears thereof within reasonable period fixed by this Hon'ble Court."

11. The said Writ Petition was dismissed by the Learned Single Judge on 2.12.2004, against which the applicant preferred an appeal before the Division Bench of Hon'ble Andhra Pradesh High Court in W.A.No.2134/2004 in which Judgement has been pronounced on 19.8.2005. The said

Judgement has been produced as Annexure A5 in which the relevant portion of the Judgement would run as follows :-

"Even otherwise, irrespective of the fact as to whether he has preferred this writ petition at a belated stage, coming to the provisions under the Pension Regulations, 1961, the minimum service has been stipulated as an eligibility for the disability pension. Section-IV of the Rules deals with the disability pensionary awards. Under Rule 198 of the Rules, the minimum period of qualifying service actually rendered and required for grant of invalid pension is 10 years. In the instant case, admittedly, the petitioner has completed 7 years, 11 months and 19 days service. From this angle also, the petitioner has not even fulfilled the eligibility criteria under the above provisions as rightly observed by the learned single Judge.

However, in the facts and circumstances of the case and considering the fact that the petitioner has rendered his services for 7 years 11 months and 19 days and he was discharged from service only on medical invalidation, we deem it appropriate to give liberty to the petitioner to make a representation to the 1st respondent seeking for grant of disability pension by relaxing the relevant rule.

Subject to the above observation, this writ appeal is disposed of."

12. On the foot of the aforesaid Order, the applicant had sent a representation to the 1st respondent and the same was rejected by the 1st respondent in its Order dated 15.12.2006 produced in Annexure R-VI. Subsequently the said Order was intimated to the applicant on 4.11.2009, which is now challenged before this Tribunal. Before filing this application, the applicant had filed an application in O.A.No.71 of 2012 for the grant of disability pension which was withdrawn by the applicant and, therefore, it was dismissed as withdrawn with liberty to file a fresh application on a different cause of action, on 6.3.2013. In the said application, the applicant based his claim for disability pension on the disability of 'Osteo Arthritis' said to have been sustained by the applicant during military service. Rightly he had withdrawn the said application and filed the present application.

13. Whether the Order of Hon'ble High Court of Andhra Pradesh made in W.A.No.2134/2004 dated 19.8.2005 will bar the present claim on the principle of *res judicata*? The above said Order of Andhra Pradesh High court in W.A.No.2134/2004 extracted above had given liberty to the applicant to make a representation before the 1st respondent towards disability pension and the 1st respondent was directed to consider the same

by relaxing the rule of 10 years minimum period for the invalid pension under Rule-198 of Pension Regulations for the Army, 1961 (Part-I). The present application is filed challenging the rejection order passed by the respondents on the representation given by the applicant in pursuance of the liberty given by the Andhra Pradesh High Court made in W.A.No.2134/2004. Therefore, the present application is filed on a fresh cause of action arose subsequent to the Order of Andhra Pradesh High Court made in W.A.No.2134/2004 and, therefore, the issue in this Original Application is not substantially and directly the same issue to the case mentioned in W.A.No.2134/2004 (arising from W.P.No.21342/2004). In the said circumstances, the doctrine of *res judicata* as put forth by the respondents for rejecting the application cannot be sustained as both the issues are different on the different causes of action.

14. However, when we scrutinise the entitlement of disability pension payable to the applicant, it is quite clear that the service records of the applicant were destroyed and are not available for perusal. It is an admitted fact that the applicant was boarded out of service in the year 1968 on the medical disability of Epilepsy, which was categorised in medical category as 'EEE'. As we have already noted, the Register of pensioners would go to show that the claim of disability pension for Epilepsy was rejected by the authorities even though the disablement was at 20%. The mandatory retention period of records of a non-pensioner is certainly 25 years from the

date of his discharge as per Regulation-595 of Regulation for the Army, 1987. Admittedly, the applicant was not granted with any pension on his discharge in the year 1968. Therefore, the service records of the applicant would be destroyed on the lapse of 25 years, which ended in 1993. The applicant could not bring any evidence that he had continued correspondence throughout that period towards his claim for disability pension. Admittedly, the applicant did not prefer any appeal against the rejection of disability pension at the time of his discharge as he had attributed the reason that the appeal provision was not informed to him. Admittedly, he had commenced his legal battle by filing W.P.No.2134/2004 before the Andhra Pradesh High Court in the year 2004 only. The mandatory period of 25 years retention period ended 11 years prior to the filing of the said Writ Petition and there were no documents to peruse and adjudicate the claim of the applicant either before the Andhra Pradesh High Court or before the 1st respondent where an representation was made as per the direction of Hon'ble Division Bench of Andhra Pradesh High Court made in W.A.No.2134/2004 dated 19.8.2005. In the said circumstances, the Judgement of Delhi High Court made in CM No.2063/93 and CW No.1267/1993 dated 31.7.1995 in between **Hans Ram Vs. Union of India and others**, would be useful to clarify the above position. The relevant portion as relied upon by the respondents would be as follows :-

"The respondents have stated on oath that the service record of the petitioner is not available to verify the correct facts and place the same before the Court. It is also submitted that if such petitions are entertained it would tantamount to opening a pandora's box creating serious financial and other complications.

It is true that ordinarily in matters relating to pension the writ courts do not deny the relief on account of delay merely. A sympathetic and liberal view is always taken. Indulgence is invariably shown. In the case of Bachan Kaur Vs. Union of India (W.P.621/89) decided on 13.4.85, a Division Bench of this Court has taken the view that a writ petition claiming pension if the claim be otherwise just and legal may be entertained and allowed limiting the same to a period of three years before the date of filing of the petition. In the present case the petitioner has on account of culpable delay and laches extending over a period of 25 years himself created a situation which disentitles him to any relief. The service record of the petitioner is not available. It is not known as to why and in what circumstances the petitioner was paid merely the gratuity and yet felt satisfied therewith though no pension was allowed. If only the petitioner would have approached the Court within a reasonable time, the

respondents could have been directed to search and produce the relevant service record of the petitioner enabling a just decision of the petitioner's claim, which is not possible in the present case. The entire fault is of the petitioner. However sympathetic we may be with the petitioner, sitting as a writ court, we cannot grant relief of pension to the petitioner merely as a charity or bounty in the absence of relevant facts being determinable and relevant comments available. For the foregoing reasons the petition is dismissed though without any order as to costs."

15. According to the dictum laid down by Delhi High Court, we could see that the earning of pension is not a charity or bounty to be given to the applicant at his request. It was also found that when the applicant had failed to raise his claim within the mandatory retention period of 25 years and the file were destroyed thereafter, the claim of the applicant could not be adjudicated. The said principle laid down in the said Judgement is squarely applicable to the present case since the facts in this case are similar to the facts of the said case discussed in the aforesaid Judgement. The 25 years of retention period was also over even prior to the filing of Writ Petition before Andhra Pradesh High Court. Therefore, the representation made by the applicant as per the direction of Andhra Pradesh High Court could not be adjudicated by the respondents owing to the non-availability of records and the provisions of Regulation-198 of Pension Regulations for the

Army, 1961 (Part-I) was also not applicable to disability pension. In the said circumstances, the attributability and the aggravability of the disability sustained by the applicant, namely Epilepsy, could not be established as required under Para-173 of Pension Regulations for the Army, 1961 (Part-I). It will be very useful to extract Para-173 of Pension Regulations for the Army, 1961 (Part-I), for understanding the grant of disability pension :-

"173. Unless otherwise specifically provided a disability pension consisting of service element and disability element may be granted to an individual who is invalided out of service on account of disability which is attributable to or aggravated by military service in non-battle casualty and is assessed 20 per cent or over

The question whether a disability is attributable to or aggravated by military service shall be determined under the rule in Appendix II."

16. As per the said requirement, the disability sustained by the applicant should have been attributable to or aggravated by military service and should have been 20% or more. In the circumstances, the applicant's claim complied with the criteria of quantum of disability at 20% only and the attributability or aggravability to service has not been established by the applicant.

17. The applicant had blatantly said in the prayer paragraph filed in W.P.No.21342/2004 that he was not disabled or never disabled, but he was medically boarded out of service. The said stand taken by the applicant would also make us to doubt the claim of the applicant. However, on the dismissal of the Writ Petition, the Hon'ble Division Bench of Andhra Pradesh High Court has granted him the liberty to claim disability pension and, therefore, the prayer made in the Writ Petition would not matter. Since the pleadings filed by the applicant in O.A.No.71 of 2012 basing the claim of disability with Osteo Arthritis, which was contrary to the disability of Epilepsy would not also matter in view of the withdrawal of the said application with liberty to proceed with different cause of action. In the said backdrop of the case, the non-availability of records to find out as to the attributability and aggravability towards disability to the service is not found established by the applicant and, therefore, we are of the considered opinion that the disability claim of the applicant as sought for in the application cannot be granted. Accordingly, both the points are decided.

18. **Point No.3:** In the earlier paragraphs, we have decided that the claim of the applicant was not barred by the doctrine of *res judicata*. But the applicant failed to establish the entitlement for disability pension as sought for by him. Therefore, we are inclined to dismiss the application filed

by him for the grant of disability pension. Accordingly, the application is dismissed being devoid of merit. There shall be no order as to costs.

Sd/-
LT GEN ANAND MOHAN VERMA
(MEMBER-ADMINISTRATIVE)

Sd/-
JUSTICE V.PERIYA KARUPPIAH
(MEMBER-JUDICIAL)

20.8.2013
(True Copy)

Member (J) – Index : Yes/No

Internet : Yes/No

Member (A) – Index : Yes/No

Internet : Yes/No

NCS

To:

1. The Secretary to Government,
Ministry of Defence,
New Delhi.
2. The Chief of Army,
Government of India,
New Delhi.
3. The Principal Controller of
Defence Accounts (Pension),
Allahabad, Uttar Pradesh.
4. The Record Officer,
Sema Seva Corps Abhilekh (Dakshin)
ASC Records (South)
Bangalore-560 007, Karnataka.
5. M/s. K. Ramakoteswara Rao,
B. Naganjaneyulu, K. Jagadish,
Counsel for applicant.
6. Mr. B. Shanthakumar, SPC
Counsel for respondents.
7. OIC Legal Cell (Army),
ATNK & K Area HQ,
Chennai.
8. Library, AFT, Chennai.

HON'BLE JUSTICE V. PERIYA KARUPPIAH
(MEMBER-JUDICIAL)
AND
HON'BLE LT GEN (RETD) ANAND MOHAN VERMA
(MEMBER-ADMINISTRATIVE)

O.A.No.36 of 2013

20.8.2013