

FORM NO - 4
{SEE RULE 11(1)}
IN THE ARMED FORCES TRIBUNAL, REGIONAL BENCH, KOLKATA
ORDER SHEET

APPLICATION NO : O. A. No.12/2015

APPELLANT (S)	Shri Promod Das
RESPONDENT(S)	Union of India & 4 Ors.
LEGAL PRACTITIONER FOR APPELLANT(S)	LEGAL PRACTITIONER FOR RESPONDENT(S)
Ms. Debjani Ghosal	Mr. S. K. Bhattacharyya

	ORDER OF THE TRIBUNAL
Order No. 2	Dated: 05.06.2015
<p>Ms. Debjani Ghosal, Id. advocate appears on behalf of the applicant and Mr. S. K. Bhattacharyya, Id. advocate for the respondents is present. Mr. Bhattacharyya files memo of appearance which may be kept with the record. Major Narendra Singh, OIC, Legal Cell, HQ Bengal Area is also present.</p> <p>Petitioner who is a Territorial Army has approached this Tribunal for payment of pension. It appears that earlier some of the members of the Territorial Army had filed a Writ Petition (No.4451/2014) which was decided by the Hon'ble Calcutta High Court on 25.02.2014 with the finding that disbanment of unit does not suffer from arbitrary side and the policy decision of the Central Government does not warrant interference. However, Hon'ble High Court observed that the petitioner's demand for payment of outstanding dues should be cleared within a period of two months from the date.</p> <p>Let counter affidavit be filed within three weeks indicating therein as to how and in what manner the order of the Calcutta High Court has been complied with. Respondents shall also explain its stand with regard to payment of pension keeping in view the relevant rules and regulations. Rejoinder be filed within one week thereafter.</p> <p>List the matter on 03.07.2015.</p>	
(LT GEN GAUTAM MOORTHY) Member (Administrative)	(JUSTICE DEVI PRASAD SINGH) Member (Judicial)