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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 13773/2023**

RAM CHANDER JAIN

..... Petitioner

Through: Petitioner in person
versus

UOI AND ANR

..... Respondents

Through: Mr. Rahul Sharma, SPC with Mr.
Vinod Tiwari, GP for respondent
no.1/UOI

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

24.01.2024

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1. This petition has been filed by the petitioner with following prayers:-

i) That impugned letter of Respondents M.O.D. 6809/76 dated 28th June 2022 of Not Counting of full as of sailor service be quashed as be held invalid, illegal

ii) That Respondents who of Not Counting my service rendered as a sailor of about years 12 years in full length accordingly be Directed or Ordered to Count this service in full making it total to more than 17 years and issue a fresh letter to Petitioner for such count of length.

iii) That any other Direction/Orders be passed deemed fit in the case.

2. Though, on the last date of hearing, notice was issued on the petition, but we find that the jurisdiction insofar as the subject matter of the petition, i.e., service related matters with respect to pension, shall lie before the Armed Forces Tribunal ('AFT', for short).



3. We accordingly deem it appropriate to close these proceedings by granting liberty to the petitioner to approach the AFT for the prayers as made in this petition. The period during which the petitioner has pursued the present petition shall be excluded for the purpose of computing the limitation in filing the petition before AFT.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

JANUARY 24, 2024/akr