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WP-39219-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,  
CHIEF JUSTICE

&amp;

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 7<sup>th</sup> OF NOVEMBER, 2025

WRIT PETITION No. 39219 of 2025

*ROTAN SINGH*

*Versus*

*THE UNION OF INDIA AND OTHERS*

.....  
Appearance:

*Shri K.C.Ghildiyal, Senior Advocate with Ms. Warija Ghildiyal - Advocate for petitioner.*

*Shri Sunil Rao - Advocate for respondents.*  
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ORDER

*Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice*

1. Petitioner is aggrieved by the order dated 15.07.2024, passed by the Armed Forces Tribunal to the limited extent that the order restricts the arrears to three years prior to issuance of the order.
2. Learned senior counsel for the petitioner submits that the original petition was filed in the year 2019 and the order restricting the period of three years from the date of order is erroneous and at best the period could have been restricted to three years prior to approaching the Tribunal, which was in the year 2019. Learned senior counsel relies on the decision of the Supreme court in **Union of India and Others Vs. Tarsem Singh**, (2008) 8 SCC 648, wherein the Supreme court has held



that the relief on account of arrears can be restricted to three years prior to approaching the concerned Court.

3. In the instant case, petitioner had filed the petition in the year 2019 along with an application seeking condonation of delay which was subsequently allowed and the petition was registered in the year 2022. Once the delay is condoned and the petition is registered, the petition will relate back to the date of original filing which was in the year 2019. We further note that there is no reason mentioned in the impugned order as to why petitioner has been denied benefit with effect from three years immediately preceding the filing of the petition and same has been restricted to three years immediately preceding the passing of the final judgment.
4. In view of the above, impugned order dated 15.07.2024 is modified and the restricted period of three years shall be three years immediately preceding original filing of the original application before the Tribunal in the year 2019.
5. Petition is accordingly disposed of in the above terms. Respondents shall pay the arrears now within a period of two months from today, failing which the interest as directed by the Tribunal shall become operative.

(SANJEEV SACHDEVA)  
CHIEF JUSTICE

(VINAY SARAF)  
JUDGE