

COURT NO. 1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

39.

MA 3527/2023 WITH MA 846/2024 IN OA 276/2022

Lt Col Nandita Satpathy Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Ms. Aysuhi Mishra, Advocate for
Mr. S S Pandey, Advocate
For Respondents : Mr. Satya Ranjan Swain, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER
11.09.2024

MA 3527/2023

This application has been filed seeking the execution of the order passed on 19.04.2023 in OA 276/2022 by this Tribunal. While this execution application is pending, we note that a substantial part of the order passed on 19.04.2023 has been complied with by the respondents.

2. Today, learned counsel for the applicant invites our attention to the fact that the only issue which is pending now is with regard to the refund of Rs. 20,00,000/- (Twenty Lakhs only) which is paid to the applicant at the time of her discharge/termination in relation to service gratuity. The learned counsel further refers to a communication made by the applicant on 23.07.2024 to the PCDA (O), Golibar

Maidan, Pune- 411001 with a copy sent to the other authorities, wherein the applicant has detailed the formal facts as follows:

- 1. Pl ref your office letter No. LW/15/99/189233H dated 08 July 2024 vide which approximated due drawn statement reflecting recovery of Rs (-) 17,54,103/- has been shown in r/O the above named offr.*
- 2. It is intimated that the offr has already refunded the gratuity amount of Rs. 20,00,000/- (Twenty Lakhs only) to PCDA (P) Prayagraj vide MRO No (SBI collect ref No) DUM6658116 vide SBI cheque No 806287 dated 27 may 2024. You are requested to reconcile your due drawn statement accordingly.*
3. Learned counsel for the applicant assert that the amount of Rs. 20,00,000/- (Twenty Lakhs only) paid towards gratuity should be adjusted based on the submissions made in the communication dated 23.07.2024.
4. The learned counsel for the applicant has also stated that the reconciliation process must be initiated by PCDA (O), Golibar Maidan, Pune- 411001, and PCDA (P) Draupadi Ghat, Prayagraj- 211003. Once these authorities reconcile the issue based on the submission made by the applicant, this issue will be resolved, and no further proceedings will be required.
5. We direct the respondents to look into this matter, seek instructions, reconcile the issue with the authorities as indicated hereinabove, and submit a report to this Tribunal within four weeks.

6. A copy of the communication dated 23.07.2024 is handed over to the learned counsel for the respondents in an open Court.

7. List again on 21.10.2024.

8. A copy of this order be provided '*DASTI*' to both the parties.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[LT GEN C.P. MOHANTY]
MEMBER (A)

Ps
MA 3527/2023