

COURT No.2  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

7.

OA 1868/2024

JWO Jagdale Lalasaheb Dadasaheb (Retd) ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate  
For Respondents : None

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER  
29.05.2024

The applicant vide the present OA makes the following prayers:-

*"8.....*

*A. Quash and Set aside the recovery by declaring it arbitrary and illegal being contrary to the settled law in Syed Abdul Qadir(Supra) and State of Punjab vs Rafiq Masih(Supra) as well as Thomas Daniel(Supra) relied upon by this Hon'ble AFT in squarely covered Order placed at Annex-A3 and/or.*

*B. Direct the Respondents to credit amounts to the account of the applicant with applicable interest and pay the exemplary costs considering difficulty level of the Applicant was affected due to action of the Respondents by initiating recovery of Pension; and/or*

*C. Ad- interim Ex- Parte Direction to the Respondent/Bank/PDA, not to proceed with recovery started in Jun 2023 onwards, during pendency of this OA; and/or Any other further relief as deemed appropriate in the interest of justice."*

and vide prayer clause-(c) with the Prayer clause 9, the applicant seeks for the grant of Ad-interim ex- parte directions as prayed in the prayer clause-8(c) reproduced herein above.

2. Notice of the OA is issued and accepted on behalf of the respondents. The pleadings in the matter be completed by either side within a time frame of three months. The matter be listed before the Principal Registrar on **01.07.2024** for completion of pleadings and before the Bench thereafter.

3. Till further directions further recovery of the sum of Rs. 11,700/- from the pension of the applicant is stayed with immediate effect. Notice of the OA be also issued to respondents no. 4 on taking on steps by the applicant along with copy of this order.

Re- list the matter on **16.10.2024**

Copy of this order be given **DASTI** as prayed.

**(JUSTICE ANU MALHOTRA)**  
**MEMBER (J)**

**(REAR ADMIRAL DHIREN VIG)**  
**MEMBER (A)**

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