

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

5.

OA 3526/2024

Sub Jai Shankar Prasad (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. S S Pandey, Advocate with
Ms. Ayushi Mishra, Advocate
For Respondents : Mr. Prabodh Kumar, Sr. CGSC

CORAM

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

ORDER
06.09.2024

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

“(a) Call for the records on the basis of which the Respondents despite being fully aware of non withdrawal of AFPP Fund by the Applicant though sanctioned to the tune of Rs. 1,50,000/- illegally effected deductions on such amount along with interest aggregating Rs. 5,19,795 vide FSA dated 08/2023 by putting the onus on the Applicant to provide the Non Payment Certificate and thereafter quash the same.

(b) Issue further directions to the Applicant to refund Rs. 5,19,795 to the Applicant without any delay along with Penal interest @18% from the date of deduction till its payment to the Applicant.

(c) Pass any other order/orders as deemed appropriate by this Hon'ble Tribunal in the facts and circumstances of the present case.”

2. Notice thereof is issued to the respondents and accepted on their behalf. Pleadings in the matter be completed by either side, within a timeframe of three months and the matter be listed before the Joint Registrar on **13.09.2024** in view of office order dated 03.09.2024 for the same and be listed before the Bench on **16.12.2024** thereafter for hearing.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

Yogita