

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

2.

OA 1236/2024

Spr Manjit Singh (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Kritendra Tiwari, Advocate
For Respondents : Mr. V.S. Mahndiyan, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER
15.04.2024

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

(a) *Quash and set aside the impugned letters dated 30 Jan 2024 and 22 Feb 2024.*

(b) *Direct the respondents to restore the earlier pension @Rs. 17,130/- pm, and disability pension @ Rs. 4,511/- pm along with applicable DA and other consequential benefits, since the deductions are contrary to the settled law as upheld in Rafique Masih (Supra).*

(c) *Direct the respondents to stop any further deduction from the applicant's pension.*

(d) *Direct the respondents to refund entire amount deducted/recovered since Jun 2023 with 12% interest thereupon.*

(e) *Direct the respondents to provide PPO to the applicant and pay Rs. 60,000/- as cost of litigation*

Any other relief which the Hon'ble Tribunal may deem fit and proper in the fact and circumstances of the case.

2. Alongwith the same is also prayer seeking the grant of interim relief in Prayer clause 9 which is to the effect:-

The applicant most humbly prays that the Hon'ble Tribunal may graciously be pleased to issue an Ex-parte Order to the Respondents to stop any further deduction from the pension of the

applicant with immediate effect till the date of final outcome of this OA.

3. Notice thereof is issued to the respondents and accepted on their behalf. Pleadings in the matter be completed by either side within a time frame of three months and the matter be listed before the Principal Registrar for completion of pleadings on **29.04.2024**.

4. Till further directions further recovery sought to be made by the respondents from the pension of the applicant in terms of the impugned order dated 30.01.2024, placed at page no. 21 of the record, is stayed.

5. The matter be re-notified for hearing on **14.10.2024**.

The copy of this order be given '*DASTI*' to the respondents, as prayed.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

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

/nmk/k