

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

19.

OA 3472/2024

Ex LA (AH) Karan Singh Yadav Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Devendra Kumar, Advocate
For Respondents : Ms. Nehal Jain, Advocate

CORAM

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

ORDER
04.09.2024

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

- “(a) direct the respondents to stop recovery of an amount of Rs. 1,22,879/- from pension account of the applicant.*
- “(b) Direct respondents to refund the recovered amount with interest @12% p.a. from the date of recovery.*
- “(c) Direct the respondents to disburse Dearness Relief on Military Pension w.e.f. 01.08.2024 to the applicant.*
- “(d) Any other relief which the Hon'ble Tribunal may deem fit and proper in the fact and circumstances of the case along with cost against the respondents.”*

2. Along with the same is also a prayer seeking grant of interim relief to the effect:-

“Direct the respondents to stop the recovery from the pension account of the applicant with immediate effect.”

3. A further submission has been made on behalf of the applicant that there was no notice issued by the respondents to

the applicant before any further recovery was sought to be made from the pension of the applicant. In view thereof while notice is issued of the OA and the prayer for interim relief as sought by the applicant, till further directions, further recovery of the commuted value of pension from the applicant by the respondents, is stayed. Pleadings be completed by either side i.e. the filing of the counter affidavit and rejoinder, if any, thereto be filed 15 days prior to the date of final hearing.

4. The matter be re-notified for final hearing on **06.11.2024**.

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

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

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