

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

64.

OA 5227/2024

HFO Birendra Jha (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate
For Respondents : Mr. Rakesh Dhawan, Advocate with
Mr. Rakesh Kumar, Senior Auditor from
(Office of PCDA(P)), Sgt Pankaj Sharma,
DAV

CORAM

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

ORDER
18.12.2024

Pursuant to proceedings dated 17.02.2024, on behalf of the respondents Mr. Rakesh Kumar, Senior Auditor of PCDA(P) is present and he has submitted the copy of communication letter dated 17.12.2024 addressed to the TCS Team, the contents of which read to the effect :-

“Pension in respect of the pensioner 627026F, Birendra Jha, 601201801566 has been revised in the month of Apr 2023. But Rs. 13101 has been recovered regularly from April 2023 to Oct 2023, Rs. 13651 from Nov 2023 to Mar 2024, Rs. 14200 from Apr 2024 to Aug 2024, Rs. 16750 from Sep 2024 to Oct 2024 and Rs. 17213 in Nov 2024.

On scrutiny the case, it is observed that the calculation has not been carried out properly by the system. Only drawn has been taken into account but due pension has been taken as Nil. Resulting huge recovery amount reflected in the calculation.

It is requested to re-examine the case urgently and stop the recovery and also refund the recovered amount.”

2. In view thereof, as stated in the said letter itself, an erroneous recovery is being effected from the applicant and thus all recoveries sought to be made by the respondents in relation to an amount of Rs. 20,78,427/- from the pension of the applicant are directed to be stayed and are stayed forthwith.
3. On behalf of the respondents it is further stated that the refund of the erroneously recovered amount would be made within a period of four weeks.
4. The matter be re-notified for hearing on **29.01.2025** at **02.15 p.m.**

(JUSTICE ANU MALHOTRA)
MEMBER (J)

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

Yogita