

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

44.

MA 3876/2024 in OA 1471/2019

Ex CPO Jitendra Kumar Singh & Ors. Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Praveen Kumar, Advocate
For Respondents : Mr. Yogeshwar Krishnan Purohit, Proxy
for Gp Capt Karan Singh Bhati Sr CGSC

CORAM

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

ORDER
12.12.2024

There has been no compliance of directions dated 14.02.2023 in OA 1471/2019 by the respondents whereby vide Para 6 (i) and (ii) thereof, it was directed to the effect :-

“6. The OA 1471/2019 is thus allowed and the respondents are directed as under :-

(i) Calculate the pension of the applicants bases on the last held rank by them before retirement i.e. Chief Petty Officer and Petty Officer and in consonance with the principles of calculation that have been upheld in JWO Gopalkrishnan in this regard; and

(ii) The applicants will be accordingly issued a fresh corrigendum PPO in the last rank held by them i.e. applicant No. 1 as Chief Petty Officer and applicant No. 2 as Petty Officer within two months and the arrears paid accordingly, failing which, it shall carry interest @ 6% till actual payment.”

2. The respondents submit that they are awaiting the directions of the Hon'ble High Court of Delhi in WP(C) 6815/2024 which is listed for the date 17.12.2024 which relates to the aspect of only the restriction of the arrears of the last rank

pension to a period of three years prior to the institution of the OA. The same does not in any manner detract from the compliance of the directions dated 14.02.2023 in OA 1471/2019 by the applicant from a period of three years prior to the institution of the OA instituted on 14.08.2019 which be complied with by the respondents without default for the next date of hearing.

3. The matter be re-notified for hearing on 30.01.2025.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

Yogita