

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

61.

MA 4400/2024 in OA 907/2024

JWO Ravisankar Velichappatte (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate
For Respondents : Mr. Waize Ali Noor, Advocate

CORAM

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

ORDER
14.11.2024

MA 4400/2024 has been filed by the applicant seeking implementation of the order dated 18.03.2024 in OA 907/2024 whereby vide Para 11 thereof, it was directed to the effect :-

“11. The OA 907/2024 is thus allowed and the respondents are directed as under:-

(i) Calculate the pension of the applicant based on the last held rank by him before retirement i.e. Junior Warrant Officer, and in consonance with the principles of calculation that have been upheld in JWO Gopalakrishnan in this regard; and

(ii) The applicant will be accordingly issued a fresh Corrigendum

PPO in the last rank held by him within two months and the arrears paid accordingly, failing which, it shall carry interest @6% till actual payment.”

2. On behalf of the respondents whilst accepting notice of the MA 440/2024 it is submitted that they do not intend to assail the order of which implementation is sought and it is submitted that the grant of the arrears in terms of the order dated 18.03.2024 in

OA 907/2024 be confined to commence to run from a period of three years prior to the institution of OA 1387/2024.

3. *Inter alia* reliance is placed on behalf of the respondents on proceedings dated 04.09.2024 in MA 2853/2024 in OA 1387/2024 in similar circumstances whereby the grant of the arrears of pension as revised for the last rank pension of the applicant were confined to commence to run from a period of three years prior to institution of the said OA.

4. In terms of the directions of the Hon'ble High Court of Delhi in WP(C) 6815/2024 dated 23.07.2024, thus as an interim measure till disposal of WP(C) 6815/2024 now listed before the Hon'ble High Court of Delhi for the date 17.12.2024, the grant of the arrears of revised pension for the last rank pension of the applicant are confined to commence to run from a period of three years prior to the institution of the OA 907/2024 instituted on 05.03.2024.

4. The matter be re-notified for hearing on **24.01.2025**.

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

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)