

COURT NO. 1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

25.

MA 527/2024 in OA 1327/2021

Lt Col PK Singh (Retd)	Applicant
Versus		
Union of India & Ors.	Respondents

For Applicant	:	Mr. J P Sharma, Advocate
For Respondents	:	Mr. D K Sabat, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

O R D E R
18.03.2025

MA 527/2024

Considering the fact that the original application OA 1327/2021 was disposed of on the very first day without issuing notice to the respondents in the light of the law laid down by the Hon'ble Supreme Court in the case titled as Director (Admn. And HR) KPTCL and Others Vs. C.P. Mundinamani and Others [(2023) SCC Online SC 401] in Civil Appeal No.2471 of 2023 decided on 11.04.2023 and PFO has been issued granting the increment to the applicant. In our considered view, nothing further survives in the matter, however, at the time of hearing of this execution application the applicant makes a complaint that the grant of Leave Encashment and Commutation value of the pension has to be revised in the light of the increment granted. If, that be so, this is a separate cause of action which has to be considered and evaluated after hearing the respondents. It could not be done in

this application which was disposed of on the very first day without notice to the respondents. If, the applicant has any grievance with regard to non-payment of Leave Encashment and Commutation benefit, he may invoke the jurisdiction of this Tribunal in accordance with law. With the aforesaid liberty to the applicant, the application stands disposed of.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[REAR ADMIRAL DHIREN VIG]
MEMBER (A)**

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