

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

26.

OA 1413/2017 with MA 1808/2018

Jugal Kishore Sharma (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Aditya Goyal, proxy for
Mr. Ashish Chauhan, Advocate
For Respondents : Mr. Satya Ranjan Swain, Advocate

CORAM

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

ORDER
24.08.2023

On behalf of the respondents it is submitted that the prayer made by the applicant has been redressed by the respondents and that the applicant is in the receipt of the disability pension.

On behalf of the respondents it is indicated in averments made in Para 3(c) of the counter affidavit to the effect:-

“(c) THAT consequent upon his discharge, the applicant was granted disability pension @ 30% wef 01 Feb 1999 to 15 Nov 2000 vide PPO No DE/011278/99 dt 26 Jul 1999 and amended to correct PPO No DE/CORR/029401/2001 dt 14 May 2001. The said disability element was further extended wef 16 Nov 2000 to 26 Feb 2001 and 27 Feb 2001 for life @ 20% as per the recommendation of RSMB vide PPO No D/RA/22319/2001 dt 18 Sep 2001. Further, as per the provisions of GOI, MOD letter No 1(2)/97 (/Pen-C) dt 31 Jan 2001 and No 3/57/2001/D (Pen-A &AC) dt 11 Apr 2002, the applicant has already been granted rounding off @ 50% for life vide PCDA(P) Corr PPO No DE/3561/2003 dt 14 Aug 2003. Accordingly the said Corr PPO has also been forwarded to the PDA of the

applicant i.e DPDO, Rohtak, Distt - Rohtak (Haryana) to pay the revised rate/Rounding of disability pension to him with arrears vide EME Records letter No 14538459/DP-Rev/T-11/Pen dated 23 Sep 2003.

True copies of PPOs are attached herewith and marked as ANNEXURE R2 (Colly).

A true copy of the PPO No D/RA/22319/2001 dt 18 Sep 2001 is attached herewith and marked as ANNEXURE R3.

A true copy of the PCDA(P) Corr PPO No DE/3561/2003 dt 14 Aug 2003 is attached herewith and marked as ANNEXURE R4.

A true copy of the EME Records letter No 14538459/DP-Rev/T- 11/Pen dated 23 Sep 2003 is attached herewith and marked as Annexure R5.”

counsel for the applicant however, submits that the applicant is not in receipt of the disability pension. The applicant is directed to produce the bank statement with effect from 2004 onwards with an affidavit. The bank concerned be also impleaded by the applicant and on taking of steps, notice be issued to the concerned bank.

The matter be re-notified on 23.11.2023.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

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