

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

35.

MA 5213/2024 in OA 222/2019

Ex SCPO Himmat Singh Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate
For Respondents : Dr. Vijendra Singh Mahndiyani, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)

ORDER
13.01.2025

On behalf of the respondents has been submitted a copy of PPO no. 401199300271 dated 20.11.2024, copy of which has been supplied to counsel for the applicant.

2. On behalf of the applicant it is submitted placing reliance on the averments made in OA 659/2019 that the applicant was promoted to the rank of Chief Petty Officer on 01.07.1993 and thus the PPO reflecting the recurring payments to be effective from 01.07.2019 in the rank of Chief Petty Officer are not at all in consonance with the directions dated 17.04.2023 in OA 222/2019 whereby vide Para 8 thereof, it was directed to the effect :-

“8. Accordingly, the instant OA is allowed. 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., CPO and

in consonance with the principles of calculation that have been upheld in JWO Gopalkrishnan (supra) in this regard;

(ii) The applicant will be issued a fresh corrigendum PPO, subject to verification, in the last rank of CPO held within a period of three months and arrears paid accordingly, failing which, it shall carry interest at the rate of six percent till payment.”

3. Counsel for the applicant seeks time to ascertain the said aspect.
4. The matter be re-notified for hearing on 17.01.2025.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(MS. RASIKA CHAUBE)
MEMBER (A)

Yogita