

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

17.

MA 1057/2020 with MA 2601/2021 in OA 227/2020

Sgt Adapa Veerabhadra Rao (Retd) ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate  
For Respondents : Mr. Sagar Mehlawat, Proxy for  
Mr. Harish V Shankar for R 1-2 & 4,  
Ashok Kumar, Advocate, SBI for  
R-3 & 5, with Sgt Pankaj Sharma, DAV  
Legal

CORAM

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

ORDER  
11.09.2024

On behalf of the respondents no. 1, 2 and 4 and on behalf of the respondents no. 3 and 5, reliance is placed as annexure R-5/2 placed at page 45 of the record which is an annexure to the affidavit filed on behalf of the SBI respondents no. 3 and 5 dated 30.05.2024. The said document is an application of the applicant to the Branch Manager, State Bank of India, Yanam Branch wherein it is stated to the effect :-

*"I refer to the above subject and the file enclosed, I retired as SERGEANT dated 28-02-1994. In the attached file the PPO(08/14/8/03638/1994) dated 17-02-1994, my Rank wrongly mentioned as CPL In the corrigendum PPO (08/14/B/CORR/08007/94) dated 27-10-1994 my Rank was mentioned as SGT. I have received pension according to the PPO dated*

*27.10.1994 till 31.12.2005. There after pension was paid as per letter no. DCA/AF/Pen.Rev/CPGRAM dated 27.03.2017 till 31.12.2015. After implementation of 7th CPC the Basic pension was revised to Rs.18427/- and then Revised to Rs.19404/-by the Bank.*

*However in the latest EPPO (349199411707) dated 09-10-2020 again my Rank was mentioned as CPL with Basic pension as Rs.18427/-and in the latest PPO (349199411707) Dated 29-12-2021 my Rank is mentioned as SGT with change basic from Rs.18427/- to Rs.19404/-. in OROP arrear calculation also my Rank is considered as CPL.*

*In view of the above my Rank is not clear and I wish to know that which Rank (CPL or SGT). I am suppose to get SERGANT (SGT) rank pension. This is for your information.”*

2. The proceedings dated 15.09.2023 vide Para 4 thereof, are categorical to the effect :-

*“4. A perusal of the documents which have now been brought to our notice today reveals that there may be some mistake in grant of pension to the applicant during the period 17.02.1994 to 27.10.1994 and again from 09.10.2020 to 29.12.2021. Apart from that, the PPOs issued indicate the last rank of the applicant as Sgt.”*

3. All the respondents shall place on record the proof of payment if made to the applicant in the rank of Sgt from the period of 17.02.1994 to 27.10.1994 on the record for the next date of hearing and furthermore, the respondents no. 1, 2 and 4

shall also clarify the payments made to the applicant as per annexure ER-2 placed at page 21 of the record as an annexure to the additional affidavit filed by the respondents no. 1, 2 and 4 dated 04.05.2023 to specify as to qua which rank the said payment has been made within a period of three weeks.

4. The matter be re-notified for hearing on **23.10.2024**.
5. Copy of this order be given ***DASTI*** as prayed.

**(JUSTICE ANU MALHOTRA)**  
**MEMBER (J)**

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

Yogita