

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

37.

MA 3233/2019 IN TA 3/2016

Capt Kashyap Kumar Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Chinmay Kanojia, Advocate for
Mr. Rishabh Sancheti, Advocate
For Respondents : Gp Capt Karan Singh Bhati, Sr. CGSC

CORAM

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

O R D E R
01.08.2025

MA 3233/2019

In pursuance to the order passed on 16.05.2025, the respondents have filed a statement detailing the breakup of the amount paid to the applicant. The particulars are as follows:

Ser	Description	Amount (Rs.)
(a)	Pensionary Benefits	
	(i) Pension Arrears upto Oct 24	1,76,73,028.00
	(ii) Retirement Gratuity	3,50,000.00
	Total (A)	1,80,23,028.00
(b)	Retiral Benefits	
	(i) DSOP Fund	7,43,856.00
	(ii) Leave Encashment for 30 days of Leave (un-audited)	34,749.00
	Total (B)	7,78,605.00
	Grant Total [(A) + (B)]	1, 88,01,633.00

2. Learned counsel for the applicant submits that the DSOP (Defined Savings-cum-Optional Provident) Fund is a

contributory scheme under which both the applicant and the respondents make periodic contributions. It is contended that the applicant's contributions were retained by the respondents for a substantial period and hence he is entitled to interest accrued thereon.

3. Accordingly, the respondents are directed to place on record the complete details of the DSOP Fund Scheme including the nature of contributions, accrual of interest, if any, and the manner in which the final amount is calculated and paid to the employee upon cessation of service.

4. Further, it is contended by learned counsel for the applicant that the applicant has been paid leave encashment only for 30 days, whereas he had accumulated leave at least up to 180 days. In this regard, the respondents shall clarify the following:

- a) Whether any interest is payable on the amount of leave encashment, particularly in view of the delayed payment.
- b) If interest is payable, details of the rate of interest, period of accrual, and calculation thereof.

5. Let the above information and documents be filed by the respondents within a period of four weeks from the date of receipt of this order. The applicant is also directed to file

the necessary documents in support of his claim for leave encashment.

6. List again on **26.09.2025**.

7. Let a copy of this order be given ***DASTY*** to both the parties.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[LT. GEN. C. P. MOHANTY]
MEMBER (A)**

PS/AK
MA 3233/2019