

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

43.

MA 3233/2019 in TA 3/2016

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

For Applicant : Mr. Chinmay Kanojia for
Mr. Rishabh Sancheti,
Ms Praavita Kashyap and
Mr Harsh Bora, Advocate
For Respondents : Gp Capt Karan Singh Bhati, Sr. CGSC

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

O R D E R
06.02.2025

In pursuance to the order dt 14.10.2024, learned counsel for the respondents have produced before us an order passed by the Government of India, Ministry of Defence, Department of Military Affairs dt. 20.12.2024 deciding the mercy petition of the applicant and granting certain benefits to the applicant.

2. Operative part of the order reads as under:

“AND WHEREAS, the Central Government on careful consideration of the directions of the Hon'ble AFT, the grounds cited in the representation dated 04 May 23 of Ex-Captain Kashyap Kumar, modifies the Order dated 26 Oct 05 of 'Dismissal from the Naval Service without Pension' to 'Dismissal from the Naval Service with Pension' in respect of Ex-Captain Kashyap Kumar (02120T) subject to the foregoing all other reliefs and withdrawal of court case by Ex-Captain Kashyap Kumar (02120T)

NOW THEREFORE, the dismissal Order dated 26 Oct 05 in respect of Ex-Captain Kashyap Kumar (02120T) stands patially modified with regard to grant of retiral benefits, as per extant rules. The grant of retiral benefits shall be effective from the date of dismissal i.e. 28 Oct 05:-

- (a) *Accrued arrears of Pension upto Oct 24 (including retirement Gratuity) Rs 1,80,23,028.00 (Rupees One crore Eighty Lakh Twenty Three Thousand Twenty Eight only)*
- (b) *Terminal benefits as admissible wef the date of revocation of the earlier Dismissal Order dated 26 Oct 05.*

3. Four weeks' time is granted to the learned counsel for the applicant to seek instructions in this matter.

4. List the matter on 28.03.2025.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

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