

**COURT No.3
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

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MA 1715/2023 in OA 715/2021

Smt Reena Chauhan wd/o
Late Sgt Krishan Singh Chauhan Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate
For Respondents : Mr. Prabodh Kumar, Advocate

CORAM

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

ORDER
28.04.2023

The OA 715/2021 is fixed for final hearing on 02.08.2023, and the matter is taken up on MA 1715/2023 filed on behalf of the applicant under Rule 25 of the AFT (Procedure) Rules, 2008, seeking a stay of recovery of pension from the applicant to the tune of Rs. 1500/- per month since January 2021 which application is placed alongwith an affidavit of the applicant.

The applicant has submitted the pension statement for the month of February 2021, January 2021 and December 2022. It is submitted on behalf of the applicant that the recovery of the pension is still continuing. Notice of the application is directed to be issued to the respondent nos. 3-4 on taking steps

by the applicant for the date 02.08.2023 till which date recovery of pension to the tune of Rs. 1500/- per month from the applicant is stayed.

A copy of this order be served by the applicant on the respondent nos. 3-4 for the date of 02.08.2023.

OA 715/2021

Furthermore, in as much as the record indicates that the said respondent nos. 3-4 had been served with the notice of the OA for the date of hearing 16.09.2021 and have not chosen to put in appearance as indicated on 16.09.2021, and no counter affidavit was also filed on their behalf, owing to their continuous absence on behalf of the respondents no. 3-4 in the matter in the interest of justice, as also to ensure that the order here in above in relation to MA 1715/2023 taken up for consideration today is complied with, notice of the said application and copy of this order be served to the standing counsel for the respondent nos. 3-4 on taking steps by the applicant through all means.

Learned counsel for the respondent nos. 1,2 & 5 apprises us that Syndicate Bank has since been merged with Canara Bank. In view thereof, notice be issued and copy of this order be served to the Branch Manager, Canara Bank stipulated at the addresses

mentioned in Serial no. 3 and 4 in the memo of parties and the amended memo of parties be placed on record by the applicant.

Notice be also issued to the standing counsel for the Canara Bank.

Re-notify on **02.08.2023**.

Copy of this order be given **DASTI**.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

AP