

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

82.

MA 2299/2024 in OA 1022/2022

Sgt V Muthiyalu (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate
For Respondents : Mr. Sheetal Raghuvansi, Advocate with
Mr. Abhishek Trivedi, Sr. Auditor, PCDA

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

O R D E R
01.05.2025

MA 2299/2024

Vide order dated 17.01.2023, the applicant was treated to have retired in the rank of Sergeant, and his application was allowed based on the law laid down by the Benches of this Tribunal in the case of *JWO P. Gopalakrishnan v. Union of India and Others*. Seeking execution of the said order, the present application was filed.

2. In the course of execution proceedings, vide communication dated 25.07.2024, we were informed that the order passed by this Tribunal had been implemented, the pay and pension of the applicant had been fixed in the rank of Sergeant and a PPO had been issued which was brought on record. Accordingly we directed the applicant to seek instructions and verify whether the order had been duly complied with.

3. Today, Shri Manoj Gupta produced before us a pension payment slip for December 2024, wherein the applicant is shown

as holding the rank of Corporal. The applicant now raises a grievance that payment is being made to him in the lower rank of Corporal, contrary to the Tribunal's order. The PCDA (P), Prayagraj, which issued the communication dated 25.07.2024 and the original PPO, is directed to clarify why, in the pension payment for December 2024, the applicant is shown as holding the rank of Corporal and why reduced pension has been paid.

4. A copy of this order shall be served on to Shri Abhishek Trivedi, Sr, Auditor, PCDA Prayagraj, who is directed to file a response indicating the reasons for the reduction in the applicant's rank and pension.

5. Re-list on 17.07.2025.

6. A copy of this order be provided DASTI to learned counsel for both the parties.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

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