

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

29.

RA 42/2025 in OA 5322/2024 in RA 32/2025

AVM DK Awasthi (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Y Venugopal, Advocate
For Respondents : Mr. Prabodh Kumar, Advocate
Sgt Pankaj Kumar Yadav, OIC, Legal Cell

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

ORDER
05.02.2026

RA 42/2025 has been filed by the applicant of OA 5322/2024 seeking review of the order dated 27.10.2025 seeking a substitution of the retirement date 30.09.2022 mentioned therein with the correct date 30.06.2022 seeking also directions for payment of interest @8% p.a. on Rs. 13,79,081/- to be paid from 30.06.2022. It has been submitted through the said application vide Para-4 that the date of retirement/discharge was erroneously mentioned in the application filed by the applicant in RA 32/2025. Notice of the application is issued to the respondents.

2. It is essential to observe that in OA 5322/2025 disposed of vide order dated 04.09.2025, though the applicant in the List of Dates & Events has given the date 30.06.2022 as being date of his superannuation from service, the counter affidavit filed by the

respondents filed on 28.07.2025 in Para-1 has given the date of retirement of the applicant as being “30.09.2022”. Consequentially, vide the order dated 04.09.2025 vide Paras-19 and 20 thereof, it was directed to the effect:-

“19. The respondents are thus directed to release the leave encashment amount of Rs. 13,79,081/- due to the applicant which ought to have been paid to him on his superannuation from the Indian Air Force i.e. 30.09.2022 in view of the wrongful retention of the said amount of Rs. 13,79,081/- to which the applicant is entitled to for his leave encashment, admittedly. The said amount of Rs. 13,79,081/- due to the applicant as his leave encashment be released to the applicant by the respondents within a period of eight weeks from today along with interest @8% per annum in view of RBI Circular no. DGBA. GAD No.H-6760/45.01.001/2011-12 dated 13.04.2012. 20.Any further delay in the making of the payment would render the respondents liable to pay further interest @8% per annum on the unpaid amount. The OA 5322/2024 and the accompanying applications are thus disposed of accordingly.”

3. It is submitted by the applicant however that as per the PPO no. 501202200131 dated 24.05.2022 also the date of retirement of the applicant is 30.06.2022. Copy of the said PPO has been supplied to the learned counsel for the respondents who does not refute the correctness of the PPO. In view thereof, the date of the retirement of the applicant being admittedly 30.06.2022, the proceedings of the 04.09.2025 mentioning the date 30.09.2022 in the said order in OA 5322/2024 are rectified and the date 30.09.2022 therein shall to read as “30.06.2022” on the original order under signatures of both Members of the Bench as of date. Furthermore, the rectification

of the said date from **30.09.2022** to **30.06.2022** is also made in the contents of Para-7 of the RA 32/2025 disposed of vide order dated 27.10.2025 under signatures of both Members of the Bench, as of date

4. RA 42/2025 is disposed of accordingly.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

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