

IN THE ARMED FORCES TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI

1.

O.A. No. 215/12

Ex Sqn Ldr Kiranmeet Saran

.....Petitioner

Versus

Union of India & Ors.

.....Respondents

For petitioner: Mr. S.S. Pandey, Advocate

For respondents: Mr. Ankur Chhibber, Advocate.

CORAM:

HON'BLE MR. JUSTICE A.K. MATHUR, CHAIRPERSON.

HON'BLE LT. GEN. S.S. DHILLON, MEMBER.

ORDER
24.09.2012

1. Petitioner by this petition has prayed that the Respondents may be directed to finalise and release all the dues of the Petitioner including the arrears of pay and allowances in the rank of Sqn Ldr for the period from 6th January 2003 to 6th January 2004 and also all post release benefits including the difference of gratuity, leave encashment, terminal gratuity etc. alongwith interest @ 18% per annum. She has further prayed that the Respondents may also be directed to release the last pay certificate clearly notifying the last pay and other emoluments which the Petitioner was entitled in the rank of Sqn Ldr as on 6th January 2004 when she was released from service.

2. Petitioner was selected for grant of short service commission in the Army Medical Corps on 7th December 1998 for an initial period of five years extendable by another five years. Subsequently, she was seconded to Air Force in the rank of Flying Officer and she joined her duty at 34 Wing, Air Force Station, Bhatinda on 6th January 1999. During her first posting at 34

Wing from January 1999 to May 2002, the Petitioner performed her duties to best of her abilities and she was required to be promoted to the rank of Sqn Ldr on completion of four years of service on 6th January 2003. However, when she did not receive any intimation in this regard, she made a representation on 14th July 2003 against the delay in grant of time scale promotion for which she was fully eligible. Thereafter she was promoted also as a Sqn Ldr and she was released from service on completion of service on 6th January 2004. Therefore, in this context she has claimed the arrears of pay and allowances in the rank of Sqn Ldr for the period from 6th January 2003 till 6th January 2004.

3. The Respondents today has produced before us the sanction order dated 11th September 2012 releasing a consolidated amount of Rs.88,866/- but they have not mentioned whether this amount is towards arrears of salary, gratuity, etc. However, the Respondents shall release details of the aforesaid amount to the Petitioner. Since, the Petitioner has been denied the payment for period from 2003 till 2012 therefore she has claimed interest on the aforesaid amount. This amount should have been released to her as soon as possible when she was released from service or at best after three months from the date of representation filed by her i.e. 14th July 2003, but still it was not paid and she was forced to file the present petition to seek relief. Therefore she is entitled to interest @ 12% p.a. from 14th October 2003 till 11th September 2012. The amount shall be paid to the Petitioner forthwith. Petitioner's last pay certificate shall be issued and sent to the her within four weeks.

4. With this observation, the petition is disposed of. No costs.

A.K. MATHUR
(Chairperson)

New Delhi
September 24, 2012
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S.S. DHILLON
(Member)