

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

61.

OA 1321/2022 WITH MA 1778/2022 AND MA 2716/2023

TS Naik Nathu Ram (Retd)

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant

: Mr. U S Maurya, Advocate

For Respondents

: Mr. Harish V Shankar, Advocate

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER
27.09.2023

MA 2716/2023

Counter affidavit has been filed. There being some delay in filing the counter affidavit, this application has been filed seeking condonation of delay. Delay condoned. Counter affidavit is taken on record. MA stands disposed of.

MA 1778/2022

2. Keeping in view the averments made in the application and in the light of the decision in Union of India and others Vs. Tarsem Singh (2009(1) AISLJ 371), the delay in filing the OA is condoned.

3. MA stands disposed of.

OA 1321/2022

4. The applicant has invoked the jurisdiction of this Tribunal under Section 14 of Armed Forces Tribunal Act, 2007 seeking grant of 2nd MACP in the rank of Naik w.e.f. 01.02.2006.

5. Respondents have filed the counter affidavit and in para 4 of

the same admit that the applicant has been granted service pension in the rank of Naik (Time Scale) vide PPO bearing No. S/041883/2006 (Army) dated 13.10.2006. Thereafter, an amended PPO has been issued, as it is evident from the corrigendum documents (Annexure R-3) dated 16.07.2022.

6. Keeping in view the aforesaid, it is clear that now with the issuance of corrigendum PPO the benefits have been granted to the applicant and 2nd MACP has also been granted.

7. In view of the above, nothing survives for adjudication on merit in the application. However, it is the grievance of the applicant that inspite of issuance of the corrigendum PPO the bank in question, namely, Central Bank of India, Porsa Distt-Morena, has not credited the amount in his account.

8. Taking note of the aforesaid, it is directed that the Prinicipal Registrar, Armed Forces Tribunal, Prinicipal Bench, New Delhi shall forward a copy of this order along with PPO filed as (Annexure R-2) at page 67 and (Annexure R-3) at page 68 to the bank concerned, with a direction to credit the amount, as per the PPO, if not already done, within a period of two weeks of its receipt and submit a report to the Prinicipal Registrar within four weeks, failing which the Prinicipal Registrar shall bring this fact to the notice of this Tribunal so that coercive action can be taken against the bank.

9. With the aforesaid, OA stands disposed of.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

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