

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

50.

OA 2229/2022 WITH MA 2382/2023
AND MA 2998/2022

Hav Sobendra Singh (Retd)

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant

:

Mr. U S Maurya, Advocate

For Respondents

:

Mr. Rajeev Kumar, Advocate

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER

26.09.2023

MA 2382/2023

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

2. The MA stands disposed of.

MA 2998/2022

3. Keeping in view the averments made in this application and finding the same to be bona fide, in the light of the decision in Union of India and others Vs. Tarsem Singh [(2008) 8 SCC 648], the instant application is allowed condoning the delay in filing the OA.

4. The MA stands disposed of.

OA 2229/2022

5. From the counter affidavit filed by the respondents and the averments made in Para 1, it is clear that the benefit claimed for by the applicant has been granted and the PPO bearing No.

S/041632/2006 dated 31.10.2006 (Annexure R-1) has also been issued. That being so, as the benefit of the Modified Assured Career Progression (MACP) scheme has been granted to the applicant in the PPO issued, therefore, nothing further survives for adjudication in the matter.

6. However, a complaint is made before us to say that the benefit accruing to the applicant in pursuance to the PPO has not been credited to his Bank account.

7. Taking note of the aforesaid, it is directed that on the applicant's filing a copy of this order along with a copy of the PPO before the Bank concerned, the Branch Manager of the Bank shall ensure that the amount is credited to the applicant's account within a period of two weeks from the date of presentation and compliance report be sent to the Principal Registrar of this Tribunal. In case the Bank Official does not act within the period of two weeks, liberty shall be available to the applicant to make a mention of the same and seek coercive action in the matter.

8. In view of the aforesaid, the OA stands disposed of.

[RAJENDRA MENON]
CHAIRPERSON

[P.M. HARIZ]
MEMBER (A)

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

50.

OA 2229/2022 WITH MA 2382/2023
AND MA 2998/2022

Hav Sobendra Singh (Retd)

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant

:

Mr. U S Maurya, Advocate

For Respondents

:

Mr. Rajeev Kumar, Advocate

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER

26.09.2023

MA 2382/2023

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

2. The MA stands disposed of.

MA 2998/2022

3. Keeping in view the averments made in this application and finding the same to be bona fide, in the light of the decision in Union of India and others Vs. Tarsem Singh [(2008) 8 SCC 648], the instant application is allowed condoning the delay in filing the OA.

4. The MA stands disposed of.

OA 2229/2022

5. From the counter affidavit filed by the respondents and the averments made in Para 1, it is clear that the benefit claimed for by the applicant has been granted and the PPO bearing No.

S/041632/2006 dated 31.10.2006 (Annexure R-1) has also been issued. That being so, as the benefit of the Modified Assured Career Progression (MACP) scheme has been granted to the applicant in the PPO issued, therefore, nothing further survives for adjudication in the matter.

6. However, a complaint is made before us to say that the benefit accruing to the applicant in pursuance to the PPO has not been credited to his Bank account.

7. Taking note of the aforesaid, it is directed that on the applicant's filing a copy of this order along with a copy of the PPO before the Bank concerned, the Branch Manager of the Bank shall ensure that the amount is credited to the applicant's account within a period of two weeks from the date of presentation and compliance report be sent to the Principal Registrar of this Tribunal. In case the Bank Official does not act within the period of two weeks, liberty shall be available to the applicant to make a mention of the same and seek coercive action in the matter.

8. In view of the aforesaid, the OA stands disposed of.

[RAJENDRA MENON]
CHAIRPERSON

[P.M. HARIZ]
MEMBER (A)