

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**CP-19/2019 in
OA-1447/2017**

New Delhi, this the 26th day of April, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Maj Hari Vansh Sharma (Retd)
Aged 83 years
S/o late Sh. Shanti Swaroop Sharma
R/o 58, Shiv Vihar, Delhi Road,
Saharanpur, U.P.-247001. ... Petitioner

(through Sh. J.C. Vashista)

Versus

1. Sanjay Mitra, IAS,
Secretary, Ministry of Defence,
Room No. 101A, South Block, DHQ, PO,
New Delhi-110011.
2. Shri Sandeep Thakur,
Addl. CDA, o/o Principal Controller of
Defence Accounts (Pensions),
Draupadi Ghat, Allahabad (Priyagraj), UP-211014.
3. Sh. Virender Singh,
Manager, State Bank of India, CPPC, 2nd Floor,
Chanadini Chowk Branch Premises,
Delhi-110006. ... Respondents

(through Sh. Gyanendra Singh for R. Nos. 1 and 2 and Sh.
Khushal Mohal for R. No. 3)

ORDER(ORAL)

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman

The applicant filed OA No. 1447/2017 feeling aggrieved by the order dated 27.10.2014 through which the corrigendum was issued to the PPO. The OA was allowed on 24.08.2018 setting aside the said corrigendum and directing the payment of an amount of Rs. 3,74,982/- said to have been recovered from the applicant. The proposed recovery of Rs. 1,90,348/- was also set aside.

2. This contempt case is filed alleging that the respondents did not implement the direction issued by the Tribunal in the said OA.

3. The respondents filed counter affidavit stating that the order in the OA was implemented in all respects.

4. We heard Sh. J.C. Vashista, learned counsel for the petitioner and Sh. Gyanendra Singh, learned counsel for respondent nos. 1 and 2 and Sh. Khushal Mohal, learned counsel for respondent no. 3.

5. The direction issued in the OA is in three parts. The first is that the PPO was restored by setting aside the modification effected through order dated 27.10.2014. The second was that the amount recovered from the applicant was directed to be repaid with interest at GPF rates. The third is that the proposed recovery was set aside.

6. The applicant does not dispute that the pension, which was reduced through the order dated 27.10.2014 has since been restored. In other words, he is now drawing the same pension as he was drawing before the impugned order came to be passed.

7. As regards the refund of the amount, there is some uncertainty. The figure of Rs. 3,74,982/- is mentioned in the order whereas the respondents state that it was a different figure. According to them, a sum of Rs. 3,03,482/- was recovered and the same was repaid to him with interest.

8. If the petitioner is of the view that any amount more than what was repaid to him is due, he can place the necessary proof before the respondents, in which case, the respondents shall be under an obligation to make good the same, within four weeks. Similarly, if the petitioner is of the view that there is any discrepancy as to the pension, it shall be open to him to bring it to the notice of the respondents.

9. Accordingly, the contempt case is closed. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/ns/