

DAM

COURT No.3
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

6.

OA 1492/2022

Ex Hav Laxmi Narain Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr Anuj Aggarwal, Advocate
For Respondents : Mr. R.S. Chhillar, Advocate
Maj Shruti Rawat, OIC, Legal Cell

CORAM

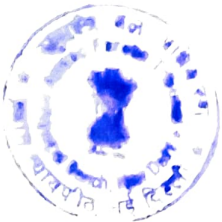
HON'BLE MS. JUSTICE ANJANA MISHRA, MEMBER (J)
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER
21.07.2022

Issue notice. Mr. R.S. Chhillar, learned counsel appearing for the respondents, accepts notice.

The applicant is seeking an ad interim stay of the impugned order dated 9th May, 2022 and 30th April, 2022 directing the Chief Manager, Union Bank of India, CPPC, 2nd Floor, S-24, Sri Aurobindo Marg, Block-A, Green Park Extension, Green Park, New Delhi to recover the over-paid amount from the pension of the applicant. From the record we find that the Bank is not a party to these proceedings.

In view of the aforesaid, learned counsel for the applicant is directed to implead Chief Manager, Union Bank of India, CPPC, 2nd Floor, S-24, Sri Aurobindo Marg, Block-A, Green Park Extension, Green Park, New Delhi and



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also the Manager of the payee Bank, who are necessary parties, as respondent No.6 and 7. Learned counsel for the applicant undertakes to implead them as party respondent Nos. 6 and 7 and file the amended Memo of Parties during the course of the day. On the applicant's filing the amended Memo of Parties and process fee during the course of the day, notices shall also be issued to these newly added respondents.

Let counter affidavit be filed by respondents within four weeks. Rejoinder, if any, may be filed within two weeks thereafter.

In the meanwhile, there shall be stay of recovery. Respondent No.4 is also directed to instruct the concerned Bank not to make any further recovery.

List the matter before the Principal Registrar for completion of pleadings on 16th September, 2022.

Let a copy of this order be provided **DASTI** to learned counsel for the parties..


(ANJANA MISHRA)
MEMBER (J)


(P.M. HARIZ)
MEMBER (A)

