

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

91.

RA 52/2023 WITH MA 4645/2023 IN OA 450/2021

Union of India & Ors.

... Applicant

Versus

Col Baljeet Singh

... Respondents

For Applicant : Ms. Jyotsna Kaushik, Advocate

For Respondents : Mr. S S Pandey, Advocate

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

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

O R D E R
06.11.2023

MA 4645/2023

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.

2. MA stands disposed of.

RA 52/2023

3. Vide order passed on 3rd January, 2023 in OA 450/2021 this Tribunal had only directed the respondents to give the most beneficial option available for pay fixation of the applicant, even if, the applicant has not opted for the same meaning thereby that the respondents were to evaluate the pay fixation of the applicant and if the most beneficial option was not granted to him, the same was to be granted to him and in case the beneficial option was granted to the applicant, as to how pay fixation has been done, which according to the respondents, is the most beneficial option and the

applicant should have been informed about the same. Instead of doing so, the respondents have come out before us saying that the most beneficial option has been granted, the order has been complied with and therefore, the order be reviewed.

4. In our considered view, there is no necessity for reviewing the order. Respondents may simply communicate to the applicant the manner in which pay fixation has been done and according to the respondents the same being the beneficial option, it should be intimated to the applicant so that if still dissatisfied the applicant may proceed in accordance with law.

5. With the aforesaid observation, finding no case for review, the RA is dismissed.

**[RAJENDRA MENON]
CHAIRPERSON**

**[C. P. MOHANTY]
MEMBER (A)**