

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

17.

RA 8/2023 with MA 729/2023 in OA 886/2019

UOI & Ors ... Applicant

Versus

Sub Maj (AIG) P R Koteswara

...

Respondents

For Applicant : Mr. Rajeev Kumar, Advocate

For Respondents : Mr. S S Pandey, Advocate

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

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

O R D E R
09.11.2023

This application has been filed for review/recall of an order passed by us in OA No. 886/2019 on 08.11.2021. By the order in question following the law laid down in the case of *Sub ML Shrivastava & Ors. Vs. Union of India & Ors.* (OA 1182/2018) and other cases, the court had directed the respondents to review the pay fixation of the applicant and to ensure that on transition to the 7th CPC, a more beneficial option should be granted to the applicant. Now, in this Review Application, the applicants have tried to demonstrate before us that the most beneficial option has already been granted. Therefore, the order be reviewed and the OA be dismissed.

In our considered view, this is not needed. One the respondents were directed to consider the matter and grant the most beneficial option to the applicant on his transition to the 7th CPC and if the respondents Union of India, applicants herein, feel that the most beneficial option has already been granted to the applicant and nothing further requires to be

done, then the respondents are only required to record the reasons for the same by a speaking order communicated to the applicant and to indicate as to how the benefit has been conferred to the applicant so that the applicant if satisfied may close the chapter and he may challenge the order passed in accordance with law.

That being so, we find no case made out for review giving option to the respondents to communicate the reasons for the submissions made before us in the review application, we dispose of the matter.

‘DASTI’.

**[RAJENDRA MENON]
CHAIRPERSON**

**[P. M. HARIZ]
MEMBER (A)**

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