

**COURT No.2, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

10.
OA 76/2019

Ex Hav Satya Pal : Applicant
Versus
Union of India & ors. : Respondents
For Applicant : Mr. V S Kadian, Advocate
For Respondents : Mr. Rajesh Kumar Das, Advocate

CORAM:

HON'BLE MR. JUSTICE V.K. SHALI, MEMBER(J)

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

ORDER
17.01.2019

1. The grievance of the applicant is that he has not been given the benefit of 3rd Modified Assured Career Progression (MACP), despite the fact that his discharge book shows that he has completed 24 years of service. The impugned order dated 12.09.2018 which was passed by the Respondents pursuant to the first round of litigation shows that the applicant was short of two days qualifying service in completing 24 years for grant of 3rd MACP. However, this fact is not reflected in his discharge book.

2. Issue notice to the Respondents to show cause as to why the applicant is not entitled for grant of 3rd MACP. Notice accepted by the learned Counsel for Respondents. Let reply affidavit be filed by the Respondents within four weeks with an advance copy to the learned Counsel for the Applicant, who may file rejoinder before the next date of hearing.

3. List on **25.03.2019**.

(JUSTICE V K SHALI)
MEMBER (J)

(LT GEN PHILIP CAMPOSE)
MEMBER (A)