

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

57.

MA 3330/2023 IN OA 1845/2020

Sub M Sateesh (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. S S Pandey, Advocate
For Respondents : Mr. Mr. Prabodh Kumar, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

O R D E R
02.04.2024

Respondents have issued a PPO and revised pension of the applicant in accordance with the directions issued on 10.12.2021 in OA 1845/2020. In the said OA the following directions were issued in Para 9:

“9. In view of the foregoing, we allow this O.A and direct the respondents to:

- (a) Review the pay fixed of the applicant on his promotion to Hav, in the 6th CPC and after due verification, re-fix his pay in a manner that is most beneficial to him, while ensuring that he does not draw less pay than his juniors;*
- (b) Thereafter re-fix his pay in all subsequent ranks and on transition to 7th CPC; and*
- (c) Issue all arrears, including the amount recovered, if any, within three months of this order.*

Pending miscellaneous applications, if any, stand closed.”

2. As far as the order for grant of pension after re-fixation of pay is concerned, it is an admitted position that the same

has been complied with, but pay and allowances on re-fixation of pay from 01.09.2007 till the date of retirement of the applicant have not been paid. Learned counsel for the applicant makes a statement that part order has been complied with however, arrears of salary for the period as indicated hereinabove have not been paid.

3. Respondents are directed to show cause as to why the said amount has not been paid and, if not already paid, take steps for payment of the same within six weeks and submit a compliance report.

4. List again on **24.05.2024**.

5. A copy of the order be provided ***DASTI*** to learned counsel for the parties.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

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MA 3330/2023