

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

69.

RA 23/2024 WITH MA 1890/2024 IN OA 3006/2023

Union of India & Ors Applicant
Versus
Col Anand S Patil Respondents

For Applicant : Mr. Vijendra Singh, 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
08.05.2024

RA 23/2024

Seeking modification of orders passed by this Tribunal in OA 3006/2023 on 09.10.203 whereby the OA was disposed of with the directions which read as under:-

- (a) *Review the pay fixed of the applicant on his promotion to the rank of Capt on 12.06.2006 in the 6th CPC, and after due verification re-fix his pay in a manner that is most beneficial to the applicant.*
- (b) *Thereafter, re-fix the applicant's pay on transition to 7th CPC and also subsequent promotion(s) accordingly.*
- (c) *Pay the arrears within three months of the receipt of copy of this order.*

2. Now this application has been filed indicating that as the most beneficial option has already been granted to the

applicant (Annexure R-1), nothing further remains to be done in the matter.

2. If that be so, instead of filing this application for modification of the order dated 09.10.2023 as already directed in various cases, respondents are required to demonstrate the applicant as to how his pay has been fixed and communicate the order to him indicating that his pay has been fixed in the most beneficial manner and nothing further remains to be done. On that being done, it is for the applicant either to agitate the matter or be satisfied with the compliance reported.

3. Finding no case for modification and granted liberty to the respondents to pass the order as directed hereinabove and there being a delay of 97 days, MA 1890/2024 has also been filed seeking condonation of the same, for which there is no satisfactory explanation.

4. In view of the aforesaid, both RA 23/2024 and MA 1890/2024 stand disposed of.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

Ps/KT