

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

16.

MA 1384/2024 in OA 1452/2022

Nb Sub Tara Chand (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate
For Respondents : Mr. Avdhesh Kumar Singh, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

O R D E R
07.10.2024

MA 1384/2024

Seeking implementation of an order passed by this Tribunal in OA 1452/2022 (*Nb Sub Tara Chand (Retd) Vs. Union of India and Ors.*), this application has been filed. The application was disposed of on the very first day at stage of admission in view of the law laid by the Hon'ble Supreme Court in the matter *The Director (Admn and HR) KPTCL and Ors. Vs. C.P. Muddinamani and Ors* (Civil Appeal No.2471 of 2023). In the matter of grant of increment, subject to verification, the respondents were directed to settle the claim. Today, it is intimated by learned counsel for the respondents, on instructions from the OIC, Legal Cell, that in the matter of grant of increment to the applicant, the applicant is not

entitled to the increment for the simple reason that he has been granted one increment before due date of increment within the passage of one year. If that be so, respondents are granted liberty to pass a speaking order and convey the same to the applicant and on the same being done the applicant will have the liberty to challenge the same in accordance with law.

2. Keeping in view the aforesaid, nothing further is required to be done in the matter. Accordingly, MA stands disposed of.

3. Let a copy of this order be provided *DASTI* to learned counsel for the parties.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[REAR ADMIRAL DHIREN VIG]
MEMBER (A)

Priya
MA 1384/2024