

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

63.

OA 140/2023 WITH MA 212/2023

JWO Harish Chand Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Raj Kumar, Advocate
For Respondents : Mr. V Pattabhi Ram, Advocate

CORAM

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

ORDER
26.07.2024

Respondents have filed the counter affidavit and they have indicated as to why the stepping up of pay as prayed for by the applicant in comparison to his so called junior cannot be granted and in spite of having not submitted the option, his pay is fixed under the best option available by the respondents itself. However, today an oral submission is made by learned counsel for the applicant that he does not press the prayer at clause 8(a) for stepping up of his pay and re-fixing it at par with his junior instead he would be satisfied if it be fixed in accordance to the law laid down in the case of Sub M.L. Shrivastava and Ors Vs. Union of India [OA No.1182/2018 decided on 03.09.2021].

2. Respondents are directed to indicate as to whether the pay of the applicant has been fixed under the best option available to him in spite of the fact that he did not submit any option for the same and are granted four weeks' time to seek instructions on the aforesaid issue.

3. List again on **04.09.2024**.

4. A copy of this order be provided *'DASTI'* to learned counsel for the parties.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

**Neha
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