

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

38.

MA 1006/2024 IN OA 2836/2023

Sep Deepak Kumar Puri (Retd) Applicant
Versus
Union of India & Ors. Respondents

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

CORAM

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

O R D E R
03.03.2025

MA 1006/2024

This application has been filed for the execution of the order passed by this Tribunal on 21.09.2023 in OA 2836/2023. The original application was disposed of on the very first date without issuing notice to the respondents. The directions contained in the order passed on 21.09.2023, specifically in Para 8 and 9, are as follows:

8. Thus, the issue referred to in the present OA is no longer res integra in view of the dismissal of SLP (Civil) Dy No. 22283/2018 against the judgment dated 15th September 2017 of the Hon'ble High Court of Madras in the case of P. Ayyamperumal, vide order dated 23rd July 2018. Additionally, in view of the order dated 19.05.2023 of the Hon'ble Supreme Court in SLP (C) No. 4722 of 2021 (Union of India & Anr. Vs. M. Siddaraj), the OA is allowed.

9. The respondents are thus directed to:

(a) Grant one notional increment to the applicant for the period from 1st July 2022 to 30th June 2023, subject to verification that he has completed one full year of service, for the purpose of pensionary benefits only (and not for any other purpose).

(b) Issue a fresh corrigendum PPO to the applicant accordingly, subject to his fulfilling other applicable conditions.

(c) Give effect to this order within a period of four months from the date of receipt of a certified copy of this order. The arrears due shall be paid without interest.

2. The respondents have indicated that the matter has been referred to the Competent Authority for the disposal of the application in light of the orders passed on 19.05.2023 in the case of Union of India & Anr. Vs. M. Siddaraj. After the matter was disposed of by this Tribunal on 21.09.2023. Further, in MA 2400/2024 filed in SLP 3993/2023 (M. Siddaraj) (supra), certain interim directions were issued by the Hon'ble Supreme Court on 06.09.2024 containing four clauses. Subsequently, the MA 2400/2024 in Civil Appeal No. 3933/2023 titled Union of India & Anr. Vs. M. Siddaraj has been finally disposed of by the Hon'ble Supreme Court on 20.02.2025. The directions issued in the said judgment are as follows:

(a) The judgment dated 11.04.2023 will be given effect to for third parties from the date of the judgment, i.e., the pension, by taking into account one increment, will be payable from and after 01.05.2023. Enhanced pension for the period prior to 31.04.2023 will not be paid.

(b) For persons who have filed writ petitions and succeeded, the directions given in the said judgment will operate as res

judicata, and accordingly, enhanced pension by taking one increment will be payable.

(c) The direction in (b) will not apply where the judgment has not attained finality, and in cases where an appeal has been preferred, or if filed, is entertained by the appellate court.

(d) In cases where any retired employee has filed an application for intervention/impleadment/writ petition/original application before the Central Administrative Tribunal/High Courts/this Court, the enhanced pension by including one increment will be payable for the period of three years prior to the month in which the application for intervention/impleadment/writ petition/original application was filed.

3. In light of the above, the respondents are now directed to take action for deciding the claim of the applicant in accordance with the aforementioned directions issued by the Hon'ble Supreme Court. A compliance report is to be submitted within six weeks.
4. List the case again on **23.04.2025**.
5. Let a copy of the same be given '**DASTI**' to both the parties.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

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