

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

45.

MA 61/2025 IN OA 648/2023

JWO AK Tripathi Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Tatsat Shukla, Advocate
For Respondents : Mr. Sundeep Kumar, Advocate

WITH

46.

MA 1320/2025 IN OA 648/2023

Union of India & Ors. Applicants
Versus
JWO AK Tripathi Respondent

For Applicants : Mr. Sundeep Kumar, Advocate
For Respondent : Mr. Dhiraj Kumar, Advocate

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

ORDER
03.04.2025

MA 1320/2025

This application has been filed under Section 25 of the Armed Forces Tribunal (Procedure) Rules, 2008, seeking modification and clarification of an order passed by this Tribunal on 13.09.2024 in OA 648/2023.

2. While directing for fixing the pay of the applicant under the 7th CPC and for grant of MACP-III, the direction issued was that the pay of the applicant under 7th CPC be fixed after granting him MACP-III in the grade of Junior

Warrant Officer (JWO) w.e.f. 01.07.2016. It is now contented by the respondents in this application that the applicant was already granted MACP-III in the cadre of JWO on 08.05.2016 and, therefore, he was not entitled to any further MACP as directed w.e.f. 01.07.2016 to that effect the respondents want modification of the order. It is further submitted that, in case, there is any disparity between the pay of the applicant and his junior the same would be examined and permitted stepping up of pay or appropriate orders would be passed.

3. Keeping in view the aforesaid, we allow this application as the factual aspect of the matter is not disputed by the respondents and modify the order passed by us in OA No.648/2023 on 13.09.2024 to the extent that the direction to fix the pay of the applicant in the 7th CPC after granting him MACP-III w.e.f. 01.07.2016 stands withdrawn as the applicant has already been granted this MACP w.e.f. 08.05.2016 and the basic pay of the applicant be re-fixed from 01.07.2016 in a manner so that there is no disparity between the applicant and his junior.

4. In view of the aforesaid, the respondents are directed to take action for complying with the directions within a period of two months.

5. Accordingly, the MA stands disposed.

MA 61/2025

6. In view of the aforesaid order passed in MA No.1320/2025 modifying the order passed in OA No.648/2023 on 13.09.2024, we dispose of the matter granting two months' time to the respondents to comply with the order passed by this Tribunal in MA No.1320/2025.

7. With the aforesaid, the MA stands disposed of.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

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MA 61/2025