

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

10.

OA 1094/2025

Maj Devarshi Singh Sengar	Applicant
Versus		
Union of India & Ors.	Respondents

For Applicant	:	Mr. Prashant Negi & Ms. Shruti Rawat, Advocates
For Respondents	:	Mr. F. M. Khan, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)

O R D E R
23.04.2025

This application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 by the applicant, who is a serving Major and is aggrieved by the incorrect pay fixation in 7th CPC resulting in continuous financial loss and disadvantage to him. He made the following prayers:

- (a) Call for the records wherein the Respondents have fixed the pay of the Applicant in the 7th CPC in the Rank of Capt. and thereafter, despite repeated directions, the Respondents have not rectified the fixation of the pay of the Applicant in the Rank of Capt. which was more beneficial to him at the time of 7th C pc and thereafter quash the same.

(b) Issue further direction to the Respondents to re-fix the pay of the Applicant in the 7th CPC from the Date of Next Increment in the rank of Capt. on 09.06.2020, in a manner that is more beneficial to the Applicant.

(c) Direct the Respondents to pay the difference of pay after all necessary adjustments as arrears on all such fixation with a penal interest @ 18% in a time bound manner.

(d) Pass any other order/order as deemed appropriate by this Hon'ble Tribunal in the facts and circumstances of the present case.

2. The issue raised in this application is squarely covered by our judgment dated 8th July, 2022 passed in OA 1923/2017 in the case of Wg Cdr Bharat Malik Vs. Union of India and Ors.

3. In the light of the above, we therefore, allow this OA and direct the Respondents to:-

(a) Review the pay fixed of the applicant on promotion to the rank of Capt in 09.06.2020 under the 7th CPC, and after due verification re-fix his pay in a manner that is most beneficial, while ensuring that the applicant is not drawing less pay than his juniors.

(c) Pay the arrears within three months of this order

4. No order as to costs.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[RASIKA CHAUBE]
MEMBER (A)

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