

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

63.

OA 2737/2023

Ex Sub Maj Anil Kumar Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Janak Raj Rana, Advocate
For Respondents : Mr. Govind Narayan, Advocate

CORAM

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

ORDER
14.11.2024

OA 2737/2023

The applicant has invoked the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act 2007 and the prayers made in para 8 read as under:

- “(i) To declare the action of the respondents as unjust arbitrary and illegal; and*
- (ii) To quash and set aside the letter of the respondent No.NE/CDA/Griev/JC569938F dated 08 May 2023.*
- (iii) To direct the respondents to fix the pay scale to the applicant Rs.60,400/- at par with his batch mate JC-57003N Sub Maj Shiv Kumar and to pay the recovered amount at the time of final settlement; and*
- (iv) To award the exemplary costs upon the respondents in the facts and circumstance of the record; and”*

2. By the impugned order the prayer of the applicant for fixation of his pay has been rejected. However, during the course of hearing today, learned counsel for the respondents has produced before us a copy of the PPO indicating grant of benefit of pay fixation to the applicant, as prayed for in the OA. The

same is taken on record. Learned counsel for the applicant, however, submits that even though the benefit of pay fixation has been granted but arrears on grant of pay fixation have not been paid. PPO produced in Court today also does not show or indicate grant of arrears. Respondents to take note of the same and respond within four weeks.

3. Put up again on 8th January, 2025.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[RASIKA CHAUBE]
MEMBER (A)**

/vks/