

COURT No.2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

9.

OA 1199/2025 with MA 1764/2025

SGT Rakesh Sharma Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Kritendra Tiwari, Advocate
For Respondents : Mr. Shyam Narayan, Advocate
Mr. Pankaj Kumar, Incharge DAV Legal Cell

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER
28.04.2025

MA 1764/2025

MA 1764/2025 filed on behalf of the applicant seeking condonation of 1386 days delay in filing the present OA for reasons mentioned therein. In the interest of justice, in view of the judgments of the Hon'ble Supreme Court in the matter of *UOI & Ors. Vs Tarsem Singh* (2008) 8 SCC 648 and in *Ex Sep Chain Singh Thr LR. Dhaneshwari Devi Vs Union of India & Ors.* in Civil Appeal No. 022965/2017 arising out of Civil Appeal Diary No. 30073/2017 and the reasons mentioned, the MA 1764/2025 is allowed and the delay of 1386 days in filing the OA is thus condoned. The MA 1764/2025 is disposed of accordingly.

OA 1199/2025

2. The applicant vide the present OA makes the following prayers:-

“(a) Pass an order to grant one notional increment for the period of service rendered from 01 Jul 2020 to 30 Jun 2021 and further to re-calculate pension and other terminal benefits after taking into account the benefit of notional increment as on 30 Jun 2021.

(b) Pass an order granting interest @ 12% on the arrears of pension and other terminal benefits to which the applicant is held entitled in terms of the re-calculation after implementing the order at para (a) above.

(c) Any other relief which the Hon'ble Tribunal may deem fit and proper in the fact and circumstances of the case.”

3. Notice of OA is issued to the respondents and accepted on their behalf. A short response be filed by the respondent within a period of four weeks without default.

4. The matter be re-notified for final hearing before the Bench on 07.07.2025.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

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