

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

47.

OA 1643/2020

Ex Sgt Mithilesh Kumar Azad Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Abhinav Gaur, Advocate for
Mr. Ajit Kakkar, Advocate
For Respondents : Dr. Vijendra Singh Mahndiyan, Advocate
with Ms. Apurva Mahndiyan, Advocate
Sgt Pankaj Kumar Yadav, DAV Legal Cell

CORAM

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

ORDER
14.07.2025

Directions dated 07.02.2025 in MA 474/2025 in
OA 1643/2020 be complied with by the respondents without
default for the next date of hearing.

2. Furthermore, in view of order dated 07.02.2025 vide
observations in para 5 and 6 thereof to the effect:-

*“5. Though we have allowed this matter but while
preparing the order and on going through the
record, it is seen that the following details are
essential to correctly establish the occurrence of
the anomaly and then pass appropriate orders:*

*(a) Details of pay from enrollment till
promotion to the rank of Sgt in respect of
the applicant and Sgt Saifee who is junior to
the applicant.*

*(b) Pay fixation of the applicant on
promotion as Cpl in December, 2003.*

*(c) Pay fixation of the applicant on
transition into 6th CPC in the rank of Cpl.*

(d) Details of financial upgrade granted to the applicant on being given MACP-II in December, 2011.

(e) Pay fixation of promotion to rank of Sgt in respect of both NCOs.

(f) Pay fixation of both NCOs on transition to 7th CPC.

6. Therefore, the respondents are directed to furnish the monthly details of pay in respect of the applicant and the junior (Sgt Saifee) from their respective date of enrollment till promotion to Sgt. The details should include Basic Pay/Grade Pay/MSP/Increment as applicable at relevant times. Where required, the calculations be indicated along side.”,

subject to orders of Hon'ble the Chairperson, the proceedings of the present matter be placed before the same Hon'ble Bench which had taken up the proceedings on 07.02.2025.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

AP