

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

3.

OA 1938/2025

Rfn Mohammad Shebaj Khan (Retd) ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr. S.S. Maurya, Advocate for  
Mr. Trilok Chand, Advocate  
For Respondents : Mr. J S Yadav, Advocate  
Capt Isha Mehrotra, OIC, Legal Cell

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE LT GEN C. P. MOHANTY, MEMBER (A)

ORDER  
09.07.2025

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

*“8(a) Direction to the Respondents to grant Notional Increment for the period from 01-07-2023 to 30-06-2023 wef 01-07-2024 and corrigendum PPO be issued with all consequential benefits with interest @ 12% per annum till its actual payment. Applicant's case is squarely covered on question involved in this case as "whether the employees, who retired on 30th June of a year or 31st December of a preceding year, are entitled to be extended the benefit of increment that falls due on 1 July or 1" January of the next year", is no longer res integra as the same had already been settled by the Hon'ble Supreme Court in the case of The Director (Admn. And HR) Vs. C.P. Mundiamani & Ors. [Civil Appeal No. 2471 of 2023 (@SLP (C) No. 6185/2020) Judgement dated 11-04-2023] (Annexure A-6) and/or;*

*(b) The applicant be granted any other relief which this Hon'ble Tribunal may deem appropriate, just and proper in the interest of justice and in the facts and circumstances of the case.*

*(c) Award cost of the OA to the applicant.”*

2. On behalf of the respondents a submission is sought to be made that there is a second appeal pending. However, the averments made in the OA do not reflect the same.

3. On a perusal of the documents that are produced by the respondents as forming the copy of the OA, apparently the copy of the OA that has been served on the respondents relates to the disability pension. The prayers in the instant OA relate to the Notional Increment. Copy of the correct OA be supplied to the respondents by the applicant.

4. Re-list the matter on **15.07.2025**

**(JUSTICE ANU MALHOTRA)**  
**MEMBER (J)**

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

**AP**