

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

100.

OA 1026/2024

Hav (DVR) Ravindra Kumar	Applicant
Versus		
Union of India & Ors.	Respondents

For Applicant	:	Mr. Manoj Kr Gupta, Advocate
For Respondents	:	Mr. Shyam Narayan, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

O R D E R
17.04.2025

The prayer made by the applicant in Para 8 of the OA reads
as under:-

(a) Issue/ Pass an order or direction of appropriate nature to the respondents to rectify the impugned action (clerical error) by wrongfully cancellation of OPTFIX Part-II Order and restore the applicant's entitled OPTFIX Part-II order on account of his 2nd ACP (ACP HAV) wef 24 May 2019; and/or

(b) In alternate pass direction to the respondents to review the applicants basic pay under the 6th CPC in a most beneficial manner and further on transition to 7th CPC in similar manner while ensuring he is not drawing less pay than juniors in terms of law upheld in ML Shrivastava (Red) Wg Cdr Bhart Malik (Supra).

(c) Direct the respondents to refund of Rs. 1,00, 850/- (deducted arbitrarily) with applicable interest as policy in vogue and contrary to law laid down by Hon'ble Apex Court in Rafique Masih (supra), which was arbitrarily deducted from the applicant's account by reduction of BP, in terms of policy in vogue; and or any other suitable order as deemed fit based on the merit of the case may kindly be passed.

2. The respondents have produced before us documents indicating rectification of the Part II order issued on 22.05.2024 to the applicant along with details of the pay slip indicating

payment of benefit to the applicant. Copies of these documents are handed over to learned counsel for the applicant, who is present today. He may seek instructions in the matter within a period of four weeks.

3. List again on 29.05.2025.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

/Ps/