

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

47.

MA 4148/2023 IN OA 654/2022

Ex MWO Raj Kumar Samanta & Ors Applicant
Versus
Union of India & Ors. Respondents
For Applicant : Mr. Rohit Pratap, Advocate
For Respondents : Sqn Ldr Manish Chandra, Deptt. Reptt.

CORAM

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

ORDER
09.10.2024

MA 4148/2023

This application has been filed by the applicant under Section 29 of the Armed Forces Tribunal Act, 2007, seeking execution of an order passed by this Tribunal in OA 654/2022 on 05.09.2022.

2. In the said OA, there are 15 original applications with detailed information mentioned on Page 3 of MA 4148/2023 (Annexure MA-1).

3. The applications concern the grant of notional increments to the applicants. In light of the orders passed by the Hon'ble High Court of Madras in *P. Ayyamperumal vs. The Registrar, Central Administrative Tribunal, Madras Bench & Ors.* (WP No. 15732/2017), decided on 15th

September 2017, the OA was allowed at the admission stage itself without notice to the respondents.

4. Today, when the matter was taken up, the learned counsel for the respondents, on instructions, informed us that the cases of the 15 applicants were examined by the office and out of these, 04 applicants were found entitled to the notional increment as per the law laid down in P. Ayyamperumal (supra). Consequently, government sanction has been granted and PPOs will be issued to them within six weeks. Regarding the remaining 11 applicants, it is stated that they are not entitled to the increment. Since the application was allowed at the admission stage without notice to the respondents, they seek leave of this Tribunal to pass a speaking order and convey it to the 11 applicants with the reasons for their ineligibility.

5. The aforesaid prayer of the respondents appears to be just and reasonable, therefore, we direct that in the case of the 04 applicants for whom sanction has been granted, the PPOs be issued within six weeks. As for the remaining 11 applicants, the execution application is disposed of with liberty to the respondents to pass a speaking order and convey it to the said applicants. In case these applicants have

any grievance regarding the order, they may pursue fresh remedies in accordance with law.

6. List again on **02.12.2024**.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

Ps
MA 4148/2023