

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

71.

MA 4021/2023 in OA 2128/2023

Gp Capt Sunil Kumar Agrawal (Retd)

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant

: Mr. Y Venugopal, Advocate

For Respondents

: Sgt. Arjun, OIC, Legal Cell

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER

25.09.2023

Having heard learned counsel for the parties, we find that after the earlier application filed by the applicant being OA 1276/2023 was disposed off by this Bench on 16.05.2023. The respondents rejected the claim of the applicant vide Order Annexure A-4 dated 19.06.2023 available in the record of OA 2128/2023. However, while disposing of OA No. 2128/2023 on 07.08.2023, we passed the same order which was passed on 16.05.2023 in OA 1276/2023 instead of issuing a specific direction for payment of increment in accordance to the law laid down by the Hon'ble Supreme Court in the case of The Director (Admn and HR) KPTCL and Ors. Vs. C.P. Mundingamani and Ors. (Civil Appeal No. 2471/2023) decided on 11.04.2023. This is an error apparent on the face of the record and therefore, we allow this application and OA 2128/2023 is restored to its original file and directed to be listed before the appropriate Bench on 04.10.2023.

MA stands allowed and disposed off.

[RAJENDRA MENON]
CHAIRPERSON

[C.P. MOHANTY]
MEMBER (A)

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