

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

124.

OA 3985/2023 with MA 5240/2023

Hony Nb Sub Rambir Singh (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Manoj Kumar Gupta, Advocate
For Respondents : Mr. Y P Singh, Advocate

CORAM

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

ORDER
06.09.2024

MA 5240/2023

Keeping in view the averments made in the application and in the light of the decision in Union of India and others Vs. Tarsem Singh (2009(1) AISLJ 371), the delay in filing the OA is condoned. MA stands disposed of.

OA 3985/2023

Invoking the jurisdiction of this Tribunal u/s 14 of the Armed Forces Tribunal Act, applicant has filed this application and the prayer in para 8 reads as under:-

- "A. Direct respondents to issue Corrigendum PPO with MACP revision wef 31 Jul 2008 after rendering 24 years of physical service and eligible for MACP in Nb Sub Grade which is under process since year 2021, along with 10% interest on arrears as per policy in vogue; and/or*
- B. Award cost of proceeding in favour of Applicant and also appropriate compensation to be paid by Respondents for their procedural errors by not granting*


the entitled pension and harassing him by taking shelter of the organization by way of shifting responsibility; and/or

C. Any other relief which the Hon'ble Tribunal may deem fit and proper in the fact and circumstances of the case."

2. On notice being issued, respondents have produced before us a communication and a PPO No. 217200800218 issued on 15.02.2024 indicating that the benefit of MACP as prayed for by the applicant has been granted and the amended PPO has been issued as indicated hereinabove. On 30.08.2024, this fact was taken note of and learned counsel for the applicant was granted time to seek instructions in this matter. On instructions, learned counsel for the applicant admits that amended PPO has been issued and the benefit as indicated therein conferred on the applicant, however, it is the grievance of the applicant that certain amount is yet to be paid to him and he had submitted a representation to the respondents, Grenadiers Records 2 by registered post on 16.08.2024. A copy of the said representation is handed over to the learned counsel for the respondents in the OIC, Legal Cell.

3. The respondents are directed to examine and decide the claim made by the applicant in his representation dated 16.08.2024 and decide it in accordance to law by a speaking order within a period of three months from today and

communicate the decision to the applicant, needless to emphasize that if, he still aggrieved by the same he will have the option to remedy as is admissible under law. With the aforesaid the application stands disposed of.


[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

/kt/