

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

96.

OA 3054/2022 with MA 4271/2022 & 95/2024

GP Capt Raman Kewak Bhatla	.....	Applicant
Versus		
Union of India & Ors.	.....	Respondents

For Applicant : Mr. Ajit Kakkar, Advocate With  
Mr. Rajat Gupta, Advocate

For Respondents : Mr. Neeraj Sr CGSC

CORAM

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

ORDER  
10.01.2024

MA 95/2024

For the reasons carved out in the application, delay in filing the counter affidavit is condoned. Counter affidavit is taken on record.

2. MA stands disposed of.

MA 4271/2022

3. Keeping in view the averments made in the miscellaneous application and finding the same to be bona fide, in the light of the decision in Union of India and others Vs. Tarsem Singh (2008) 8 SCC 648, the same is allowed condoning the delay in filing the O.A.

OA 3054/2022

4. This application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 by the applicant, who is a serving Gp Capt and is aggrieved by the incorrect pay fixation in 6<sup>th</sup> CPC resulting in continuous financial loss and disadvantage including on transition to 7<sup>th</sup> CPC in 2016, seeking the following reliefs:

(a) To direct the respondents to step up the pay of the Applicant at par with his coursemates.

(b) To direct the respondents to step up the basic pay of the Applicant and fix pay in a manner that is most beneficial to the applicant and other allowances w.e.f w.e.f 27.05.2007 (Wg Cdr), 01.01.2006 (Vth CPC), 01.01.2016 (7<sup>th</sup> CPC), 05.01.2017 (Gp Capt).

(c) To direct the respondent to pay 12 % interest on the arrears accrued to the Applicant.

(d) To pass any other appropriate order or relief which this Hon'ble Tribunal deems fit and proper anytime during the proceedings of this case.

5. The issue raised in this application is squarely covered by our judgment dated 8<sup>th</sup> July, 2022 passed in

OA 1923/2017 in the case of Wg Cdr Bharat Malik Vs.  
Union of India and Ors.

6. In the light of the above, we therefore, allow this OA and direct the Respondents to:-

(a) Review the pay fixed of the applicant on promotion to the rank of Wg Cdr in May 2007 under the 6<sup>th</sup> CPC, and after due verification re-fix his pay in a manner that is most beneficial to the applicant.

(b) Re-fix the applicant's pay in subsequent ranks and on transition into 7<sup>th</sup> CPC as on 01.01.2016, in the most beneficial manner, while ensuring that the applicant is not drawing less pay than his juniors.

(c) Pay the arrears within three months of this order and submit a compliance report.

7. No order as to costs.

[JUSTICE RAJENDRA MENON]  
CHAIRPERSON

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

Priya

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

36.

MA 779/2024 in OA 3054/2022

GP Capt Raman Kewal Bhatla

.....

Applicant

Versus

Union of India & Ors.

.....

Respondents

For Applicant : Mr. Ajit Kakkar, Advocate

For Respondents : Mr. Neeraj Sr CGSC

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON  
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER  
14.03.2024

MA 779/2024

Through this application filed under Rule 25 of the Armed Forces Tribunal (Procedure) Rules, 2008, learned counsel for the applicant seeks correction of name of the applicant in the order passed by this Tribunal on 10<sup>th</sup> January, 2024.

2. It is submitted on behalf of the applicant that due to typographical error, the name of the applicant in the pleadings has been mentioned as "Gp Capt Raman Kewak Bhatla" whereas the actual name of the applicant is "Gp Capt Raman Kewal Bhatla". The application is duly supported by an affidavit of the applicant and there is no opposition on behalf of the respondents to the correction/modification sought for by the applicant.

3. In view of the above, order dated 10<sup>th</sup> January, 2024 is modified to the extent that name of the applicant shall now be read as “ Gp Capt Raman Kewal Bhatla” in place of “Gp Capt Raman Kewak Bhatla” wherever it appears in the pleadings and the order passed on 10<sup>th</sup> Janaury, 2024.

4. MA stands disposed of.

5. This order shall be read in conjunction with the order dated 10<sup>th</sup> January, 2024.

[JUSTICE RAJENDRA MENON]  
CHAIRPERSON

[REAR ADMIRAL DHIREN VIG]  
MEMBER (A)

Priya  
MA 799/2024