

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

25.

MA 2908/2024 IN OA 99/2022

Nk Balbir Singh Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Rajesh Nandal, Advocate
For Respondents : Dr. Vijendra Singh Mahndiyani, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)

ORDER
24.11.2025

MA 2908/2024

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007, the applicant has filed the OA 99/2022 and the prayers made in Para 8 (a), (b) and (c) read as under:

“(a) To declare the action of the respondents in non promoting applicant is unjust, arbitrary and illegal; and

(b) To direct the respondents to promote the applicant to the Havaldar rank immediately before the date when person junior to him was promoted and

(c) To direct the respondents to grant the benefit of promotion at the earliest and to ensure it is carried out in a time bound manner and before his discharge from service.”

2. The OA 99/2022 was allowed and in Para 14(a) the direction issued reads as under:

(a) The applicant shall be promoted to the rank of Havildar with effect from 01.09.2017 with restoration of his original seniority."

3. It is a common ground that this direction has already been complied with. The promotion to the rank of Hav w.e.f. 01.09.2017 along with restoration of seniority has been granted to the applicant. However, now the applicant submits that on his promotion to the rank of Hav, further financial and consequential benefits are to be paid to him and the same has not been paid. Even though, there is no specific direction with regard to grant of any specific allowance or benefit, when the matter was taken up by us on 25.09.2025, we had indicated to the applicant that in case he is entitled to any further benefit, he should indicate the same.

4. Today, orally, learned counsel for the applicant informs us that the applicant has not received Havildar Instructor Allowance and certain other financial benefit. If that be so, the applicant may submit a representation to the Competent Authority and based on the promotion granted to the applicant in case he is entitled to the same, the same be decided in accordance with law and paid to the applicant.

5. With the aforesaid, for the present, finding the order passed by this Tribunal in OA 99/2022 to have been complied with, the MA stands disposed of.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[RASIKA CHAUBE]
MEMBER (A)

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