

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

61.

MA 4275/2024 IN OA 157/2024

Maj Ishwar Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. S.S. Pandey, Advocate
For Respondents : Mr. Neeraj, Sr CGSC

ORDER
16.01.2025

MA 4275/2024

This miscellaneous application has been filed under Rule 25 of the Armed Forces Tribunal (Procedure) Rules, 2008 by the applicant seeking modification/clarification in the order dated 05.09.2024 of this Tribunal in OA 157/2024.

2. It is submitted by Mr. Pandey, Ld. Counsel for the applicant that relying on the judgement dated 22.12.2021 passed in OA 159/2017 by a coordinate bench of this Tribunal, this Tribunal has granted relief to the applicant along with two other similarly placed applicants in OA 277/2024 and OA 232/2024 respectively. However, since the applicant has already been commissioned, the consequential benefit in the form of fixation of ante-date

seniority was not granted, as has been granted to the applicant in OA 159/2017 titled Nb Sub Vinod Prasad vs. Union of India and Ors.

3. We find that while passing the order dated 05.09.2024 in tagged matters with lead case being that of the applicant in OA 157/2024, the other two similarly placed applicants in OA 277/2024 and OA 232/2024 were yet to be commissioned. However, the applicant has already been commissioned on 30.07.2016, and thus, we find no reason not to allow the prayer of the applicant.

4. Therefore, we allow this MA and direct the respondents to fix the ante-date seniority of the applicant w.e.f. 07.08.2015 instead of 30.07.2016 at par with PC(SL)-2014 and grant the applicant all consequential benefits.

5. Consequently, this MA is disposed of in terms of aforesaid directions.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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