

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

70.

MA 474/2025 IN OA 1643/2020

Ex Sgt Mithilesh Kumar Azad		Applicant
Versus		
Union of India & Ors.		Respondents
For Applicant	:	Mr. Ajit Kakkar, Advocate
For Respondents	:	Dr. Vijendra Singh Mahndiyan, Advocate

CORAM

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

ORDER
07.02.2025

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This application has been filed for early hearing of OA No.1643/2020.

2. Taking note of the fact that the issue involved in this matter stands covered by a law laid down by a Co-ordinate Bench of this Tribunal in the case of Sub M.L. Shrivastava and Ors Vs. Union of India [O.A No.1182 of 2018 decided on 03.09.2021], we allow this application.

3. The MA stands disposed of.

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4. The OA taken on board.

5. Though we have allowed this matter but while preparing the order and on going through the record, it is seen that the following details are essential to correctly

establish the occurrence of the anomaly and then pass appropriate orders:

- (a) Details of pay from enrollment till promotion to the rank of Sgt in respect of the applicant and Sgt Saifee who is junior to the applicant.
 - (b) Pay fixation of the applicant on promotion as Cpl in December, 2003.
 - (c) Pay fixation of the applicant on transition into 6th CPC in the rank of Cpl.
 - (d) Details of financial upgrade granted to the applicant on being given MACP-II in December, 2011.
 - (e) Pay fixation of promotion to rank of Sgt in respect of both NCOs.
 - (f) Pay fixation of both NCOs on transition to 7th CPC.
6. Therefore, the respondents are directed to furnish the monthly details of pay in respect of the applicant and the junior (Sgt Saifee) from their respective date of enrollment till promotion to Sgt. The details should include Basic Pay/Grade Pay/MSP/Increment as applicable at relevant times. Where required, the calculations be indicated along side.
7. The aforesaid details be submitted by 01.03.2025.
8. List the matter again on **04.03.2025**.

9. A copy of this order be provided ***'DASTI'*** to learned counsel for the parties.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[REAR ADMIRAL DHIREN VIG]
MEMBER (A)

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