

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

63.

MA 4788/2025 IN MA 995/2025 IN OA 2902/2024

Ex Hav Rajendra Prasad Sah	Applicant
Versus		
Union of India & Ors.	Respondents
For Applicant	:	Mr. Shakti Chand jaidwal, Advocate
For Respondents	:	Mr. Arun Dhiman, Advocate

CORAM

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

O R D E R
10.10.2025

MA 4788/2025

Heard learned counsel for the parties on the MA.

2. In the matter of granting notional increment to the applicant based on the law laid down by the Hon'ble Supreme Court in the case of The Director (Admn and HR) KPTCL and Ors. Vs. C.P. Mundinamani and Ors. (Civil Appeal No.2471/2023 decided on 11.04.2023), at the instant of the applicant in OA 2902/2024, we had directed the respondents to take note of the law laid down by the Hon'ble Supreme Court in the case of The Director (Admn and HR) KPTCL and Ors. (supra) and decide the claim of the applicant with regard to notional increment within a period of four months. When nothing was done and the period of four months elapsed, a prayer under Section 29 of the Armed Forces Tribunal Act, 2007 by filing MA 995/2025 is made

seeking execution of an order passed on 09.08.2024 in OA 2902/2024.

3. Thereafter, MA 995/2025 vide order dated 10.03.2025 was disposed of directing the respondents to settle the claim of the applicant in the light of the order passed by the Hon'ble Supreme Court on 06.09.2024 and clause (d) thereof further modified on 20.02.2025 in MA Diary No.2400/2024 in Civil Appeal No.3933/2023 titled Union of India & Anr. Vs. M. Siddaraj. However, the respondents have not taken any action even though the period of six months have elapsed and, therefore, a prayer under Rule 25 of the Armed Forces Tribunal (Procedure) Rules, 2008 by filing this application is made seeking restoration of the MA 995/2025.

4. Keeping in view the aforesaid, we allow this application and restore MA 995/2025 to its original file.

MA 995/2025

5. List the matter on 25.11.2025 for further orders.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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