

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

16.

MA 4838/2023 IN OA 2233/2022

Nb Sub Gursahib Singh (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate
For Respondents : Mr. Shyam Narayan, Advocate

CORAM

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

ORDER
01.12.2025

MA 4838/2023

Taking note of the compliance affidavit submitted by the respondents on 18.10.2024, we are satisfied that the pay of the applicant under the best option available has already been granted. The OA was disposed of in light of the case Sub M.L. Shrivastava and Others Vs Union of India [OA No. 1182/2018], decided on 03.09.2021.


2. In these proceedings, a comparison of the applicant's case with the pay fixation of the so-called junior cannot be undertaken. Moreover, the respondents in their compliance affidavit dated 18.10.2024 have provided details regarding the manner in which the pay of the applicant has been fixed.

In this execution application, we find no reason to make any further inquiry into the matter.

3. Accordingly, finding no further indulgence required, and noting that the pay fixation of the applicant has been carried out in accordance with the best option available as laid down in Sub M.L. Shrivastava (supra), no further dispute regarding pay fixation in comparison to the junior can be entertained in these execution applications.

4. Finding that the respondents have complied with the order as passed and having followed the law laid down in Sub M.L. Shrivastava (supra), we dispose of this application. However, if the applicant has any grievance regarding pay fixation vis-à-vis his so-called junior, he may initiate a fresh application in accordance with law before the appropriate forum.

5. With the aforesaid liberty to the applicant and finding nothing further to be done in the matter, the MA stands disposed of.


[JUSTICE RAJENDRA MENON]
CHAIRPERSON


[RASIKA CHAUBE]
MEMBER (A)