

COURT No.2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

6.

OA 2517/2022 with MA 3423/2022

Hony Nb Sub Rajpal Singh Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Manoj Kumar Gupta, Advocate
For Respondents : None
Capt Isha Mehrotra, OIC, Legal Cell

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE LT GEN C. P. MOHANTY, MEMBER (A)

ORDER
05.08.2025

Learned counsel for the applicant submits that he has been unable to contact the applicant and is thus unable to comply with the directions dated 28.05.2025 to place on record documents to the effect that the sum of Rs. 12,99,424/- has not been received by the applicant.

2. The applicant vide the present OA has made the following prayers:-

"A. Issue /pass an order or direction of appropriate nature to the respondents to re-fix the correct, basic pay; post 7th CPC by giving most beneficial option at par with course mates/junior whose pension is fixed @Rs.26,741/pm whereas Applicant pension is @Rs, 22,500/pm, despite same rank/more length of service/promotion etc; and/or

B. Extend the benefit of pay fixation under 6th as well as 7th CPC in a manner that is most beneficial to the Applicant and thereafter subsequent revision as per the existing entitlement so not drawing less pay/pension than his juniors in terms of Law

upheld in Sub ML Shrivastava (Retd), Sgt Amit Trimathi (supra) and N/Sub Devender Kumar, and/or

C. Arrears are to be paid with interest and Pass an order for incurring costs/ expenditures are to be borne solely by the respondents, which would act as a deterrent; and/or Any other suitable order as deemed fit based on the merit of the case may kindly be passed."

3. During the course of the proceedings on 05.12.2024, a submission had been made on behalf of the respondents that they are issuing a corrigendum PPO granting benefits to the applicant.

4. On 03.01.2025 the respondents produced order dated 23rd July, 2024 issued by the Pay and Accounts Office, BEG&C, Roorkee along with pension slip, pay slip and calculation to indicate that pay of the applicant had been fixed at par with his so called junior with whom he had compared his pay and that nothing survives in the matter. Six weeks time had been sought by the learned counsel for the applicant to seek instructions.

5. A submission was made then thereafter on 13.05.2025 on behalf of the applicant that the applicant had not received the due amount in terms of corrigendum PPO.

6. Counsel for the applicant was thus apprised of the same and was call upon to seek instructions further and directions dated 28.05.2025 directed the applicant to file an affidavit qua the non receipt of the amount of Rs. 12,99,424/- for which as observed hereinabove, it has been submitted by the learned counsel for the applicant that he has been unable to contact the applicant and has not received any instructions.

7. In the circumstances, in view of the corrigendum PPO that has been submitted by the respondents as already on the record, and the proceedings dated 13.05.2025 apparently there is nothing that survives in the instant case i.e. OA 2517/2022 which is disposed of.

8. However, the Registry is directed to ensure that the records of Part-A and Part-B of instant case are not destroyed without permission of the Bench.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

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

AP