

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

6.

OA 5025/2024 with MA 5216/2024 & 5232/2025

Ex Hav Sirka Biruly Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Devendra Kumar, Advocate
For Respondents : Mr. Kuldeep Singh, Advocate
Maj Abhishek Kumar, OIC, Legal Cell

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)

ORDER
21.11.2025

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

"8. RELIEFS SOUGHT:

It is therefore humbly prayed that this Hon'ble Tribunal may graciously be pleased to:-

(a) Direct the respondents to grant 3rd MACP in the rank of Nb Sub w.e.f. his date of discharge.

(b) Direct respondents to pay the due arrears of pension with interest @12% p.a from the date of retirement with all the consequential benefits.

(c) Any other relief which the Hon'ble Tribunal may deem fit and proper in the fact and circumstances of the case along with cost of the application in favour of the applicant and against the respondents."

2. The counter affidavit filed by the respondents on 03.11.2025 vide para F of the Brief Facts states to the effect:-

"F. The deponent states that Records The Bihar Regiment processed the claim for grant of 3rd

Modified Assured Career Progression Scheme (MACPs) for Naib Subedar grade through SPARSH on 03 Dec 2024 for notification of corrigendum Pension Payment Order. The same has been notified by the Principal Controller of Defence Accounts (Prayagraj) vide Pension Payment Order No 213202000601 dated 08 Jan 2025. The arrears amounting to Rs 99,269/-has been released to the Applicant as shown vide pension slip for Jan 2025. Copy of revised Pension Payment Order No 213202000601 (Corrigendum No. 2) and pension slip for Jan 2025 is annexed herewith and marked as ANNEXURE R-9 and ANNEXURE R-10 respectively.”

3. Counsel for the applicant affirms the receipt of the 3rd MACP benefits by the applicant as well as the arrears thereof, as averred in the counter affidavit of the respondents.
4. In view thereof, the OA 5025/2024 is disposed of as it calls for no further action.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(RASIKA CHAUBE)
MEMBER (A)

AP