

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

17.

OA 1029/2020

Hav/Clk (SD) Purnendu Kumar Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Nasir Mohd., proxy for
Mr. Indra Sen Singh and, Advocate
For Respondents : Ms. Jyotsna Kaushik, Advocate

CORAM

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

ORDER
22.07.2025

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

“(a) Direct the respondents to re-fix the applicant’s basic pay at Rs. 6250/-, instead of Rs. 6460/-, with effect from 01.01.2006 (in the rank of Sepoy/Clk(SD)) in accordance with Para 13 of SAI 1/S/2008r/w 6th Central Pay Commission Recommendations, so as it is ‘stepped-up’ to the level of the pay of the Applicant’s Junior namely No. 14848387H Hav/Clk (SD) Jagdish Chandra Rai in accordance with Note 8 to Para 9 of SAI-1/S/2008;

(b) Direct the respondents to re-fix the applicant’s basic pay in all subsequent ranks, i.e. Naik and Havildar in accordance with his basic pay re-fixed in accordance with sub-para (a) above, so as to bring it at par with the basic pay of No. 14848387H Hav/Clk (SD) Jagdish Chandra Rai in aforesaid ranks;

(c) Direct the respondents to calculate the monthly salary of the Applicant, including all other emoluments and allowances, on the basis of aforesaid basic/minimum pay in each rank and pay the arrears with effect from 01.01.2006 within a period of three months;

(d) Award the costs of instant litigation to the applicant for needlessly compelling him to indulge into the instant litigation to claim his rightful dues; and

(e) Pass any other order(s) or direction(s) as deemed appropriate in the facts and circumstances of this case."

2. On behalf of the respondents had been submitted a copy of letter No. 14848125M/CourtCase/94/T-1/ERC dated 22.01.2025 on 12.03.2025 stating therein to the effect:-

"4. Accordingly, PAO (OR) ASC (South) examined the case and intimated vide their letter No. LG-13/14848125M/CourtCase dt 10 Jan 2025 that, the Basic pay in r/o No 14848125M Hav/Clk (SD) (Now JC67993F Nb Sub/Clk (SD)) Purnendu Kumar has already been fixed at Rs. 6460/- per month wef 01 Jan 2006 and the arrears of the same was adjusted in the month of Jan 2022. A copy of Monthly Pay slip of 01/2022 and arrears report are enclosed."

3. Counsel for the applicant present under instructions from the arguing counsel as received from the applicant submits that the prayers made by the applicant have since been redressed. In view thereof OA 1029/2020 calls for no further action and is disposed of accordingly.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

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