

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

2.

OA 2320/2025 with MA 3171/2025

Ex Sep Narendra Singh Applicant

VERSUS

Union of India and Ors. Respondents

For Applicant : Mr. Sukhbir Singh, Advocate

For Respondents : Mr. Arun Dhiman, Advocate
Capt Isha Mehrotra, OIC, Legal Cell

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER
31.07.2025

The applicant vide the present OA makes the following prayers:-

"(a) Direct the respondents to grant 2nd MACP of the rank of Havildar to the applicant on completion of 16 years of service and to fix service pension from the date of discharge ie 01.06.2011 accordingly. And/or

(b) Direct respondents to pay the due arrears of pay and pension and retiral benefits along with the arrears and @12% interest thereupon.

(d) Any other relief(s) which this Hon'ble may deem appropriate, just and proper in the interest of justice and in the facts and circumstances of the case may also be granted to the applicant."

2. At this stage, learned counsel for the applicants submits that the averments that have been made in para 5.3 of the OA which states to the effect:-

"5.3.....In the present case, the applicant had also submitted unwillingness for promotion cadre, hence in terms of the legal position upheld by the Hon'ble Tribunal, the applicant is entitled for 2nd MACP as he has completed 16 years of service in same rank."_-

whereby, the applicant is thus submitting to the effect that he had submitted an unwillingness for promotion cadre, has in fact been inadvertently typed into the OA by a cut-paste provision.

3. Counsel for the applicant seeks to withdraw the present OA seeking liberty to seek redressal afresh in accordance with law qua the prayers that have been made vide the present OA vide paras 8 (a), (b) and (d). In the interest of justice, the OA 2320/2025 with its accompanying application MA 3171/2025 is dismissed as withdrawn with liberty granted, as prayed.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

AP/AS