

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

11.

RA 14/2025 with MA 1727/2024 in OA 1920/2022

Wg Cdr Kanak Mukherjee .. Applicant/Applicant

v.

Union of India and others .. Respondents/Respondents

For Applicant : Mr. Ajit Kakkar, Advocate

For Respondents : Mr. Rajeev Kumar, Advocate

CORUM:

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN C.P MOHANTY, MEMBER (A).

**ORDER
23.05.2025**

This Review Application has been filed, with a delay of 203 days, seeking review of the order dated 23.08.2024 passed by this Tribunal in M.A. No. 3294 of 2024 in O.A No. 1920 of 2022. The delay of 203 days in filing the RA is condoned. The Original Application pertained to the anomaly in the pay fixation of the applicant on transition under the 6th and 7th Central Pay Commissions.

2. Various issues relating to the pay fixation of Armed Forces personnel upon transition to the 6th and 7th Central Pay Commissions were considered and adjudicated by a Coordinate Bench of this Tribunal vide judgment dated 08.07.2022 in *Wg Cdr Bharat Malik v. Union of India and Others* (O.A. No. 1923 of 2017). Following the

judgment in *Wg Cdr Bharat Malik* (supra), most of the similar cases were disposed of in terms of that judgment. The applicant approached this Tribunal on 23.08.2022, i.e. shortly before the judgment in *Wg Cdr Bharat Malik* (supra) was delivered. His application was allowed after condoning the delay in filing and appropriate relief was granted.

3. Although the applicant had sought interest @ 8% per annum on the arrears of pay, this Tribunal, keeping in view the facts and circumstances not only in the applicant's case but also in several other similarly situated cases, disposed of in terms of *Wg Cdr Bharat Malik* (supra), did not grant interest on arrears. While the aspect of denial of interest may not have been expressly detailed in the order, it was in line with the consistent approach adopted by the Tribunal in such matters.

4. By way of the present Review Application, the applicant seeks interest @ 8% per annum on the arrears already paid. However, upon consideration of the submissions, we are of the considered view that the non-grant of interest does not amount to an error apparent on the face of the record so as to warrant a review or recall of the order. The issue raised is not within the permissible scope of review under the applicable legal framework.

5. Accordingly, the Review Application is dismissed.

(Justice Rajendra Menon)
Chairperson

(Lt Gen C.P Mohanty)
Member (A)