

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

14.

OA 238/2026 with MA 308/2026

Sub Shyam Veer Singh (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Bikrama Sah, Advocate
For Respondents : Mr. Swapnil Joshi, Advocate for
Mr. Varun Chugh, Advocate
Maj Abhishek Kumar, OIC, Legal Cell

CORAM

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

ORDER
22.01.2026

MA 308/2026

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of 1162 days delay in filing the present OA. In view of the judgments of the Hon'ble Supreme Court in the matter of *UOI & Ors Vs Tarsem Singh* (2008) 8 SCC 648 and in *Ex Sep Chain Singh Vs Union of India & Ors*, Civil Appeal 22965/2017 arising out of Civil Appeal Diary no 30073/2017 and the reasons mentioned, the MA 308/2026 is allowed and the delay in filing the OA 238/2026 is thus condoned. The MA 308/2026 is disposed of accordingly.

OA 238/2026

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

"8. (a) OA may kindly be allowed by verification of records available with the Respondents as the instant case is squarely covered under Hon'ble AFT (b) New Delhi judgment dated 10.12.2014 in OA No 113/2014 Sub Chittar Singh Vs UOI & Ors and Judgment dated 03.09.2021 in OA No 1182/2018 Sub M.L Shrivastava and Ors. Vs UOI

(b) Direct the Respondents to fix the pay of the applicant in the 6th & 7th CPC in more beneficial option as per para 14(b)(iv) of SAI 1/S/2008 (out of the two options mentioned in the scheme) and accordingly re-fix the pay in rank of Naik, Havildar, Naib Subedar and Subedar as granted to all other persons whose option was accepted by following the judgment dated 10.12.2014 passed in OA No 113 of 2014 in case titled Chittar Singh & Ors.

(c) Direct the Respondents to pay the arrears to the Applicant of the differences of pay in rank of Naik, Havildar, Naib Subedar and Subedar after adjusting the payments already made by revising the pay and other allowance as per the revised rate including increment/DA etc. earned till date alongwith interest @ 12% from the date it was payable till the date of payment is made.

(d) Direct the Respondents to revise the retiral benefits of the applicant as per revised rate of basic pay and a Corrigendum PPO be notified revising the Pension, Gratuity and Commutation of the applicant and differences be paid to the applicant alongwith interest @ 12% from the date it was payable till the date of payment is made.

(e) Direct the Respondents to pay the differences of leave encashment to the applicant as per revised rate of pay.

(f) Pass any other or such further order or orders as deemed fit to this Hon'ble Tribunal in order to secure the ends of justice in favour of the applicant."

3. Counsel for the applicant submits that a similar matter has been allowed and the order therein has been implemented.

4. Re-list the matter on 29.01.2026.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)