

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

11.

OA 546/2026 with MA 665/2026

Hony Sub Maj Shivaputrappa Mandalappa
Sanganal (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. AK Chaudhary, Advocate
For Respondents : None
Maj Abhishek Kumar, OIC, Legal Cell

CORAM

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

ORDER
16.02.2026

MA 665/2026

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 4212 days 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 in Civil Appeal 22965/2017 arising out of Civil Appeal Diary no 30073/2017 and the reasons mentioned, the MA 665/2026 is allowed despite opposition on behalf of the respondents and the delay of 4212 days in filing the OA 546/2026 is thus condoned. The MA 665/2026 is disposed of accordingly.

OA 546/2026

The prayers made by the applicant in the present OA read to the effect:-

“(a) Direct the Respondents to grant notional annual increment to the Applicant in the rank of Hony

Major Subedar, which was due to him on 01 Jul 2012, since he had completed one year on 30 Jun 2012 to earn the said increment before his retirement from service.

(b) Direct the Respondents to pay all pensionary benefits to the Applicant including pension, leave encashment, commutation etc. from next date of his retirement w.e.f. 30 Jun 2012 after granting notional annual increment as prayed at Para 8(a) above.

(c) Direct the Respondents to pay to the applicant an interest @10% p.a. on arrears of the pensionary benefits w.e.f. 30 Jun 2012 after granting notional annual increment as prayed above and/or;

(d) Pass such other order/direction as may be deemed appropriate in the facts and circumstances of the case.”

2. Presently, in view of the Corrigendum PPO placed at page-15 which indicates that the applicant was discharged w.e.f. 30.06.2012 with it not having been specified as to on what date the applicant was granted the rank of Hony Sub Maj coupled with the factum that there being nothing on the record to indicate that the applicant was in the services of the respondents for a period to enable him to get the benefit of the notional increment in the rank of Hony Sub Major. Counsel for the applicant seeks time to seek instructions.

Re-list the matter on 16.03.2026

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

TS/AK