

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

67.

RAs

RA 04/2026 with MA 792/2026 IN OA 1819/2024

HFL Surinder Mohan Vig (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Madhav Gupta , Advocate
For Respondents : Sqn Ldr Manish Chandra,
Deptt Representative.

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HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT. GEN. C.P. MOHANTY, MEMBER (A)

O R D E R
20.02.2026

This Review Application has been filed seeking review/recall of the order dated 29.05.2024 in OA No. 1819/2024. The Review Application was filed by 31 applicants who had retired from service in the ranks of Honorary Lieutenants and Honorary Captains from the Army, Navy and Air Force. The original application was filed under Section 14 and the prayers made in paragraph 8 read as under:

- (a) To call the records.
- (b) Direct the respondents to revise and refix pay/pension of the Hony. Lt; Captains and their counter parts of Air Force and Nacy (applicants) in the reatio on the higher side at par with Regular/Commissioned Major (Rs 11600-325-14850) as per 5th CPC and enhance and revise as per 6th CPC, OROP and 7th CPC and release them all the

benefits accordingly retrospectively and from their date of retirement.

(c) Direct the respondents to enhance and revise the pension of the Hony. Lieutenants, (applicants) and maintain the difference of 3% (Lower) in basic from the basic pay of Hony. Captains and similar to their counter parts of Air Force and Navy.

(d) Award the costs;

2. The application was earlier rejected on the ground that the applicants were claiming pay fixation based on the recommendations of the 3rd Central Pay Commission and that the claim suffered from delay. Today, learned counsel for the applicants submits that the applicants are not claiming any benefit based on the 3rd Central Pay Commission. It is contended that their grievance relates to the non-grant of appropriate pay scales in terms of the recommendations of the 5th, 6th and 7th Central Pay Commissions and that the claim constitutes a continuing cause of action. It is, therefore, argued that there is no inordinate delay and that dismissal of the application on the ground of limitation is unsustainable.

3. Having considered the aforesaid submission and upon examining the grievance of the applicants on merits, we find that the applicants are retired personnel of the Army, Navy and Air Force who were holding Honorary ranks of Lieutenants and Captains at the time of retirement or equivalent ranks in the respective Services. It is the case of the applicants that when the

recommendations of the 7th Central Pay Commission were implemented, certain disparities in the pay scales of regularly commissioned officers holding the ranks of Lieutenants, Captains and equivalent ranks were addressed by granting them higher pay bands/pay scales. The applicants contend that they are also entitled to the same benefits as those granted to regularly commissioned officers.

4. In our considered view, the applicants and regularly commissioned officers do not form a common class. The applicants were conferred Honorary ranks of Captain/Lieutenant. They were not promoted to such ranks as regularly commissioned officers in accordance with the prescribed rules and regulations. Honorary ranks are conferred based on policy considerations and service records, whereas regularly commissioned officers attain their ranks through a structured system of commissioning and promotion, subject to statutory rules, service conditions and recommendations by duly constituted Selection Boards. The two categories, therefore, constitute distinct classes. It is essential to take note of Para 177 and 178 of Regulations for the Army which is reproduced as under:-

“177. Honorary Officers.-(a) JCOs who have rendered specially distinguished service, and who are serving, in the Regular Army, may be granted commissions as honorary officers in the rank of Captain or Lieutenant.

(b) Nomination for the grant of commissions as honorary officers and for promotion of Captain of JCOs holding the commission of honorary officer with the rank of Lieutenant will be made by the Chief of the Army Staff.

(c) The ratio of honorary commissions for each Republic Day and Independence Day will be;

(i) Hony Capts-1 for every 4 Hony Lieuts.

(ii) Hony Lieuts-12 for every 1000 JCOs.

178. Status.-(a) The status of a JCO as such is not affected by the grant to him of the honorary rank of Lieut; or Captain, nor does the commission granting him that rank confer on him any additional powers of command.

(b) Such honorary commissioned officers will take rank according to their Junior Commissioned Officers rank and will accordingly be junior to all officers. No promotion to or in the cadre of JCOs will be made in the place of a JCO granted a commission as honorary officer.

(c) Similarly, the seniority of a Naib Subedar Head Clerk will not be affected by the grant of honorary rank as a Risaldar or Subedar.”

On a bare perusal of the above provisions we have concluded that both the categories are dissimilar to each other and, therefore, these cannot be parallels in terms of Pay and Allowances.

5. If the 7th Central Pay Commission recommended higher pay scales for regularly commissioned officers in the ranks of Lieutenants, Captains and equivalent ranks, the same cannot automatically be extended to those holding honorary ranks. The recommendations of the 7th Central Pay Commission are policy decisions of the Government, based on relevant considerations including the nature of service, the mode of appointment, the process of promotion and the responsibilities attached to the posts. We find no arbitrariness or discrimination in treating honorary rank holders differently from regularly commissioned officers.

6. Accordingly, on merits also, we find no substance in the claim of the applicants. In such circumstances, no useful purpose would be served by restoring the Original Application for fresh hearing.

7. The Review Application is, therefore, dismissed.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[LT. GEN. C.P. MOHANTY]
MEMBER (A)**

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