

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

26.

OA 3217/2025 with MA 4747/2025

Sgt Nodagala Y Sunil Kiran(Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Tatsat Shukla, Advocate for
Mr. Dhiraj Kumar, Advocate
For Respondents : Mr. Nisarg Choudhary, Advocate
Mr. Pankaj Sharma, Incharge, DAV,
Legal Cell

CORAM

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

ORDER
09.10.2025

MA 4747/2025

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 180 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 4747/2025 is allowed despite opposition on behalf of the respondents and the delay of 180 days in filing the OA 3217/2025 is thus condoned. The MA 4747/2025 is disposed of accordingly.

OA 3217/2025

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

“(a) To direct the Respondents to dispose off the Grievance of the Applicant annexed as Annexure A-3.

(b) To direct the respondents to grant annual increment for the training period.

(b) To direct the respondents to Review the pay fixed of the Applicant under the 6th CPC and after due verification re-fix his pay in a manner that is most beneficial to him.

(c) To direct the Respondents to Re-fix the Applicant's pay on transition into 7th CPC as on 01 Jan 2016 in the most beneficial manner while ensuring that the Applicant is not drawing less pay than his juniors as well batchmate.

(d) To pass any other order or direction in favour of Applicant which may be deemed just and proper under the facts and circumstances of this case in the interest of justice.”

2. Notice of the OA is issued and accepted on behalf of the respondents. The pleadings in the matter are directed to be completed by either side within a period of three months. The matter be listed before the Joint Registrar for completion of pleadings on 27.10.2025 and before the Bench on 12.02.2026

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)