

**Form No. 4**  
**{See rule 11(1)}**  
**ORDER SHEET**  
**ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW**  
**Court No.2**

**O. A. No. 1207 of 2023**

**Sub SK (MT) Virendra Kumar Pandey** Applicant  
By Legal Practitioner for the Applicant: Shri Vinay Kumar Pandey, Advocate

**Versus**

**Union of India & Others** Respondents  
By Legal Practitioner for Respondents: Shri Shyam Singh, Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>
	<p><b><u>12.10.2023</u></b> <b><u>Hon'ble Mr. Justice Anil Kumar, Member (J)</u></b> <b><u>Hon'ble Maj Gen Sanjay Singh, Member (A)</u></b></p> <p>1. Memo of appearance filed by Shri Shyam Singh, Advocate on behalf of the respondents is taken on record.</p> <p>2. On the case being taken up for hearing, Shri Vinay Kumar Pandey, Ld. Counsel for the applicant and Shri Shyam Singh, Ld. Counsel for the respondents are present.</p> <p>3. The instant Original Application has been filed on behalf of the applicant under Section 14 of the Armed Forces Tribunal Act, 2007 for the following reliefs:-</p> <p>“(i) It is therefore, most respectfully prayed that this Hon'ble Court may kindly be pleased to order or direction the respondents authority the respondent No. 3 to take the decision on the application of applicant dated 11.01.2023 (Annexure No. A-2 to the application)</p> <p>(ii) Issue a order or direction the respondent's authority the respondent No. 3 to pay the arrears of salary after re-fixation of basic pay on the post of Naik w.e.f. 01.04.2000 and Havildar w.e.f. 31.10.2004 and may continue to pay the salary accordingly.</p> <p>(iii) Issue any other order or direction as the Hon'ble Court may deem fit and proper in the circumstances of the case.</p> <p>(iv) Award cost of in favour of the applicant.”</p> <p>4. Case is listed today for hearing on admission.</p> <p>5. At this stage, learned counsel for the applicant submitted that without going into merit of the case , it may be disposed off finally with direction to the respondent No. 3 to dispose of his representation dated 11.01.2023 (Annexure A-2) by a reasoned and speaking order. Learned counsel for the respondents has no objection if direction issued to the competent authority to decide the representation of the applicant in accordance with law.</p>

6. Considering the submissions of learned counsel for the parties and facts and circumstances of the case and without entering into merit of the case, we hereby dispose of the Original Application finally with direction to the respondent No. 3, i.e. Officer Commanding Troops, Ordinance Depot Fort, Allahabad or a competent authority to decide the representation of the applicant dated 11.01.2023 (Annexure-A2), by a reasoned and speaking order, in accordance with law, preferably within a period of three months from the date of receipt of certified copy of this order, if not already decided.

7. It will be open for the applicant to approach appropriate forum, if aggrieved by the order passed by respondents on his representation.

8. No order as to costs.

**(Maj Gen Sanjay Singh)**  
**Member (A)**

**(Justice Anil Kumar)**  
**Member (J)**

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