

ARMED FORCES TRIBUNAL REGIONAL BENCH,**LUCKNOW****(Court No. 2)****Transferred Application No. 94 of 2012**Wednesday, the 14th of October, 2015**“Hon’ble Mr. Justice Abdul Mateen, Member (J)
Hon’ble Lt. Gen. A.M. Verma, Member (A)”**Col SS Shoker, son of late Sardar Mohinder Singh, resident of 8
Thimayya Road Cantonment, Lucknow.

..... Applicant

By Shri R.Chandra, learned counsel for the applicant.

Versus

1. Union of India through its Secretary, Ministry of Defence, New Delhi.
2. Directorate General of Infantry, General Staff Branch, Army Headquarters, DHQ PO, New Delhi-110 011,
3. Controller of Defence Accounts (Officers), Golibar Maidan, Pune, Pin-411 001 (Maharashtra).

.....Respondents

By Shri Mukund Tewari, learned counsel for the respondents
alongwith Capt Soma John, Departmental Representative.**ORDER**

1. Writ Petition No. 709 (S/B) of 1997 was received by this Tribunal from Hon’ble Allahabad High Court, Lucknow Bench and was renumbered as above.

2. We have heard Shri R.Chandra, learned counsel for the applicant and Shri Mukund Tewari, learned Standing Counsel appearing for the respondents, duly assisted by Capt Soma John, Departmental Representative.

3. By means of this T.A, the applicant has prayed that the respondents be directed to regularize his basic pay and increments and to pay him the arrears of dues.

4. Submission of learned counsel for the applicant is that the applicant, who was serving as Colonel in Infantry, was being paid basic pay and increments less than his course-mates and juniors in Infantry.

5. There seems to be substance in the submission of learned counsel for the applicant. We are of the view that there should be no discrimination with respect to pay and allowances and feel that the applicant was entitled to same pay as was admissible to his course-mates whether in Infantry or Artillery. We, therefore, direct the applicant to make a fresh representation raising his grievance to the authorities concerned within a period of three weeks and the authorities concerned shall dispose of the same within a period of three months from the date of its receipt.

6. With the above direction, this T.A stands finally disposed of.

(Lt. Gen A.M. Verma)
Member (A)

(Justice Abdul Mateen)
Member (J)

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