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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 16586/2024**
SUB PRIYADARSHI KHUNTIA

.....Petitioner

Through: Mr.Mohit Kumar & Mr.Aman
Kumar, Adv.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr.Satya Ranjan Swain, Sr.
Panel Counsel with Mr.Rudra
Paliwal, GP & Mr.Kautilya
Birat, Adv.
Major Anish Muralidhar, Army.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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02.12.2024

1. The learned counsel for the petitioner submits that though the petitioner physically assumed the appointment to the promotional post of Naib Subedar on 16.12.2008, the seniority was given effect from 16.12.2008. He submits that therefore, the learned Tribunal has failed to appreciate that the petitioner would also be entitled to the benefit of the Sixth Central Pay Commission as also the most beneficial option.
2. From the Impugned Order dated 31.10.2023, we find that this plea does not appear to have been taken before the learned Armed Forces Tribunal (AFT).
3. At this stage, the learned counsel for the petitioner prays for



leave to move an application seeking review of the Impugned Order dated 31.10.2023 passed by the learned AFT.

4. We dispose of this petition by granting such liberty to the petitioner and in case the petitioner is aggrieved of the decision of the learned AFT on the review petition, if any filed by the petitioner, it shall be open to the petitioner to challenge the same on all pleas including the ones which have been taken in the present petition.

NAVIN CHAWLA, J

SHALINDER KAUR, J

DECEMBER 2, 2024/rv

Click here to check corrigendum, if any