

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

43.

MA 3422/2023 IN OA 764/2023

In the matter of :

Sgt Dillip Kumar Swain (Retd) & Ors

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Shri Tatsat Shukla, Advocate

For Respondents : Shri Rakesh Dhawan, Advocate

CORAM :

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

O R D E R
23.08.2023

MA 3422/2023

Inter alia, contending that an order passed on 22.05.2023 in OA 1361/2023 has not been complied with in the matter of grant of notional increment within a period of two months, this application has been filed for execution.

2. Yesterday, when similar matters were being heard, the office of CDS has made a submission to us that in the matters of grant of notional increment based on the law laid down by the Hon'ble Supreme Court in the matter of **The Director (Admn and HR) KPTCL and**

Ors. Vs. C.P. Mundinamani and Ors. (Civil Appeal No. 2471/ 2023) decided on 11.04.2023, in more than thousands of cases piled up in different offices for scrutiny/verification of the records the respondents are required to take more time. It is also seen that applications for grant of increment are being filed, for e.g. in this case, with regard to the period 2019 onwards.

3. Taking note of the administrative difficulties that respondents are facing in the matter of implementation of orders of this Tribunal in large number of cases and everyday hundreds of cases are being disposed of by Principal Bench and all the ten Regional Benches and interest of justice requires that adequate time should be granted to respondent to execute the order and give benefit to the applicant. We are of the considered view that in many of the cases the applicant themselves are responsible for the delay in approaching the Tribunal.

4. In cases of grant of disability/pension, the cases are filed after 22 to 25 years and the applicant expects the orders to be complied within a period of two months

time. Taking note of all this, we dispose of this application granting respondents three months time to comply with the order.

5. A copy of this order be provided **‘DASTI’** to learned counsel for both the parties.

[RAJENDRA MENON]
CHAIRPERSON

[C. P. MOHANTY]
MEMBER (A)

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