

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

37.

MA 3480/2023 in OA 1438/2021

Maj S Eswari ... Applicant

Versus

Union of India & Ors. ... Respondents

For Applicant : Mr. S S Pandey, Advocate

For Respondents : Mr. Satya Ranjan Swain, Advocate

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

O R D E R
29.09.2023

MA 3480/2023

This application has been filed seeking implementation of the order passed in OA 1438/2021 on 19.04.2023 directing the respondents to comply with the order within a period of four months.

2. The order pronounced on 19.04.2023 has not been implemented even after the aforesaid period of four months is over. However, when the matter was taken up for hearing on 06.09.2023, we were informed that Special Leave Petitions have been filed before the Hon'ble Supreme Court on 01.09.2023 wherein the order passed in the O.A on 19.04.2023 has been challenged. The respondents were granted two weeks' time to either obtain interim order from the Hon'ble Supreme Court or implement the directions issued in the OA. Today, an order passed by the Hon'ble Supreme Court on 22.09.2023 has been produced before us wherein the SLPs filed against the orders passed in OA 1438/2021 and OA 276/2022 by this Tribunal on 19.04.2023 have been dismissed on merits.

3. In view of the above, the respondents are now required to comply with the directions issued by this Tribunal on 19.04.2023. We had already granted four months' time to the respondents to comply with the order. They are now directed to implement the order on or before 31.10.2023 and submit a compliance report on 06.11.2023 failing which coercive action, including giving compensatory costs to the applicant, would be taken against the officials concerned who are responsible for the delay.

4. List the matter again on **06.11.2023**.

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

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[LT GEN C.P. MOHANTY]
MEMBER (A)**

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