

COURT No.1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

15.
MA 1386/2022 in OA 1914/2020

AVM Amarjeet Ahuja (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Puru Mudgal, Proxy Counsel for
Mr. Ajit Kakkar, Advocate
For Respondents : Dr. Vijendra Singh Mahndiyan, Advocate

WITH

16.
MA 4086/2022 with OA 1906/2020

AVM Laxmi Narain Sharma AVSM (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Puru Mudgal, Proxy Counsel for
Mr. Ajit Kakkar, Advocate
For Respondents : Mr. Anil Gautam, Sr. CGSC

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HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER
31.01.2023

In spite of the order being passed in the original application on 21st October, 2022, based on the judgment rendered by this Tribunal in OA 2342/2019 AVM P Subhash Babu Vs. UOI & Ors. decided on 4th November, 2020 and the observations made by us, while disposing of this OA on 21st October, 2022, the order passed by this Tribunal has not

been complied with whereas, in the case of *AVM P Subhash Babu Vs. UOI & Ors.* the order has been complied with and all benefits have been granted to him. Subsequently, in another case of *AVM Srineevasn Vs. UOI & Ors.* also order has been complied with. When this execution application was filed and after notices were issued on 20th May, 2020 indicating all these facts when the respondents represented by Dr. V. S. Mahndiyan informed the Tribunal that action is being taken for implementing the order. However, when the matter came up on 25th November, 2022, it was informed that on account of change of module with regard to the calculation and disbursement of pension, some delay has occurred and some further time was sought. The matter was adjourned and it was listed on 30th January, 2023 and again Dr. V. S. Mahndiyan prayed for time on the ground that the PCDA is working on the module to get the order implemented.

2. Taking note of the totality of the circumstances, as a matter of last indulgence, we grant four weeks' time to the respondents to comply with the order dated 21st October, 2022 failing which we will direct the respondents to

physically implement the order without waiting for upgradation or change of the module.

3. A copy of this order be provided DASTI to learned counsel for both the parties.
4. List the matter on **9th March, 2023**.

(JUSTICE RAJENDRA MENON)
CHAIRPERSON

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

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