

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

22.

**MA 3418/2022 in OA 2053/2021**

**In the matter of :**

**Gp Capt V K Singh, Lgs**

**... Applicant**

**Versus**

**Union of India & Ors.**

**... Respondents**

**For Applicant :** Shri Ajai Bhalla, Advocate

**For Respondents :** Shri Sagar Mehlawat, Advocate for  
Shri Harish V. Shankar, Advocate

**WITH**

23.

**MA 33/2023 with MA 3449/2022 and MA 3450/2022**  
**in OA 2053/2021**

**In the matter of :**

**Gp Capt V K Singh Lgs**

**... Applicant**

**Versus**

**Union of India & Ors.**

**... Respondents**

**For Applicant :** Shri Ajai Bhalla, Advocate

**For Respondents :** Shri Sagar Mehlawat, Advocate for  
Shri Harish V. Shankar, Advocate

**CORAM :**

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

**O R D E R**  
**16.01.2023**

Issue Notice on M.A. No. 33/2023.

Even though in Para 5 of the application, the respondents have stated so and a serious complaint is made by the counsel for the applicant that the submissions made by the respondents amount to contempt of this Tribunal, for the

present, we do not propose to initiate any contempt action in the matter. However, we also do not agree with the submissions made by the respondents in Para 5. It is a well settled principle of law that when an order is passed, the respondents have a right to appeal and are required to file the appeal within a reasonable period of time. That apart, until and unless the order passed, implementation of which is sought for is not stayed by the Appellate Court, a duty under law is imposed upon the respondents to comply with the order subject to any order that may be passed by the Appellate Court.

That being so, we do not agree with the observations of the respondents that they can keep the matter pending till the appeal is filed and a decision is taken by the Appellate Court. The order in question was passed by this Tribunal on 13.07.2022. More than six months have passed and, therefore, subject to filing of the appeal and any order that may be passed by the Appellate Court, respondents are directed to implement the order and submit a compliance report within two weeks.

List the matter on **7<sup>th</sup> February, 2023**.

Copy of this order be given '**Dasti**'.

**[JUSTICE RAJENDRA MENON]**  
**CHAIRPERSON**

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