

**COURT No.3
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

**K.
MA 1891/2022 in OA 209/2022**

**Nk/DSC Jagdish Chand(Retd) Applicant
VERSUS
Union of India and Ors. Respondents**

**For Applicant : Mr U S Maurya, Advocate
For Respondents : Mr Arvind Kumar, Advocate**

CORAM

**HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)**

**ORDER
11.07.2023**

Vide order dated 07.07.2023, in view of the submission of copy of letter dated 23.06.2023, we directed the personal appearance of the PIFA on the next date i.e. 04.08.2023, in view of non-compliance of directions dated 25.02.2022 in OA 209/2002. When the matter was taken up for signatures, we have considered it appropriate to issue notice to the Secretary, Ministry of Defence rather to the PIFA in view of the contents of the letter dated 23.06.2023 that has been submitted by the respondents and specifically in terms of Section 29 of the Armed Forces Tribunal Act, 2007, which ordains to the effect:

“29. “Execution of order of the Tribunal. - Subject to the other provisions of this Act and rules made thereunder, the order of the Tribunal disposing of an application shall be

final and shall not be called in question in any Court and such order shall be executed accordingly.”

(Emphasis supplied)

thus making it apparent that subject to other provisions of the Armed Forces Tribunal Act, 2007 and the rules made thereunder, the order of the Armed Forces Tribunal disposing of an application shall be final and shall not be called in question in any Court and such order shall be executed accordingly.

2. Taking into account the non-implementation of the order dated 25.02.2022 in OA 209/2022 till date by the respondents, notice for personal appearance is directed to be issued to the Secretary, Ministry of Defence for the date i.e. 10.08.2023 rather than personal appearance of PIFA in terms of directions dated 07.07.2023.

3. Re-list on 10.08.2023 at 4.00p.m.

4. A copy of this order be given Dasti to the respondents.

**(JUSTICE ANU MALHOTRA)
MEMBER (J)**

**(REAR ADMIRAL DHIREN VIG)
MEMBER (A)**