

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

59.

OA 2704/2023 WITH MA 3827/2023

Hav Rajiv Kumar Tiwari (Retd)

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant

:

Mr. Bikrama Sah, Advocate

For Respondents

:

Ms. Theepa Murugesan, Advocate

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

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

O R D E R

15.09.2023

OA 2704/2023 WITH MA 3827/2023

Considering the fact that the issue has already been decided not only by various Benches of this Tribunal but also by Hon'ble Supreme Court in the matter of *The Director (Admn and HR) KPTCL and Ors. Vs. C.P. Mundingamani and Ors.* (Civil Appeal No. 2471/2023) decided on 11.04.2023, for the present, we dispose of this application with the following directions.

- (i) On the applicant filing a representation along with a certified copy of this order and relevant particulars of the orders passed on the issue involved, respondents shall decide the same in accordance with law within a period of three months from the date of receipt of a copy of this order and communicate the decision to the applicant

- (ii) if still aggrieved, the applicant will have the option to seek revival of this matter in accordance with law.

2. Both OA and MA thus stands disposed of.

**[JUSTICE RAJENDRA MENON]  
CHAIRPERSON**

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

*Ps*