

**COURT No.2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

24.

OA 1870/2020 with MA 1014/2023 , 1103/2023 , 1898/2023 & 2759/2023

Lt Col Saurabh Dutt Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : In Person
For Respondents : Dr. Vijendra Singh Mahndiyan, Advocate

CORAM

**HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)**

**ORDER
21.03.2024**

Pursuant to proceedings dated 14.03.2024 on behalf of the respondents, has been submitted that the copy of document no. 48545/STAT/SC/1330/AG/DV-4(B) dated 27.06.2019 indicating to the effect that the Statutory Complaint dated 23.01.2018 of the applicant was rejected vide order 48545/STAT/SC/1330/AG/DV-4(B)/1113/D(AG) dated 25.06.2019. Along with same is the copy of the said order which has now been supplied to the applicant in person.

2. Vide order 14.03.2024, the respondents were directed to verify the assertions made in the supplementary affidavit dated 23.02.2024 filed by the applicant in relation to the deductions made by the respondents from the Pay & Allowances of the applicant for payment of the maintenance to his Ex-wife which was directed to be submitted by the respondents vide an affidavit of their authorized representative for

today. The respondents submit that they have been unable to comply with the said directions.

3. It is essential that the said directions dated 14.03.2024 for verification of assertions made in the supplementary affidavit dated 23.02.2024 filed by the applicant in relation to the deductions made by the respondents from the Pay & Allowances of the applicant for the payment of maintenance to his Ex-wife be submitted on record by the respondents.

4. In these circumstances, PCDA(O), Pune is impleaded as a party to the instant proceedings and notice is directed to be issued to the said PCDA(O), Pune to comply with the directions dated 14.03.2024 on the next date of hearing. Copy of the Supplementary affidavit dated 23.02.2024 filed by the applicant be sent by the Registry to the PCDA(O), Pune along with the notice issued to them. The compliance report in relation thereto is directed to be submitted on the record by the PCDA(O), Pune on the date **28.03.2024**. The communications to the PCDA(P), Pune be sent through all permissible modes by the Registry inclusive of e-mail.

5. It is essential to observe that vide order dated 22.01.2024 of the Hon'ble Supreme Court for petition to S.L.P(Civil) No. 27093 of 2023, received in the AFT(PB), New Delhi on 01.02.2024 there were directions to the effect:-

“The learned Principal Bench, Armed Forces Tribunal, New Delhi may take up the main case and dispose it of expeditiously, preferably within a period of three months from the date of receipt of copy of this order. In case, for any reason, it is not possible to dispose of the

main matter on merits, the prayer for interim relief be taken up and considered in accordance with law.”

4. In the circumstances it is essential that the time frame as directed herein above is adhered to by the PCDA(O), Pune without default.

Submissions have been addressed on behalf of either side in *toto*.

Copy of the order be given *DASTI* to the respondents for compliance.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(LT GEN P.M. HARIZ)
MEMBER (A)

At this stage, we consider it essential that the respondents show the delivery of the letter dated 27.06.2019 of the rejection of the Statutory complaint dated 23.01.2018 as made to the applicant.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(LT GEN P.M. HARIZ)
MEMBER (A)