

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

70.

OA 2234/2021 with MA 2332/2021

Ex Hav Pardeep Singh Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Ved Prakash, Proxy Counsel for
Mr. Shakti Chand Jaidwal, Advocate
For Respondents : Mr. D K Sabat, Advocate

CORAM

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

O R D E R
15.01.2024

On 24.04.2023 based on the instructions received by the counsel for the respondent, the following observations and directions were made by this Tribunal:-

“It is stated by learned counsel for the respondents that necessary sanction with regard to the prayer made by the applicant for grant of 3rd MACP has been sanctioned and it has not been sent to the competent authority and thereafter necessary PPO shall be issued. That being so, it is not necessary for the respondents to file the counter affidavit, instead it be listed under the category of Admission Matter. Four weeks’ time is granted to the respondents to issue the PPO”

2. It is more than 08 months now and the respondents have not taken any action in the matter. The case was thereafter listed on 13.07.2023, 09.08.2023, 21.09.2023 and again on 20.09.2023 and till date nothing has been done.

3. Today, during the course of hearing, learned counsel for the respondents sought time to seek instructions in the matter and informs us that he has received a communication from the competent office and on request of the Court it was produced for our perusal.

4. In the communication dated 17th January, 2023, i.e., a year back made with regard to the case in question, on, the record office has informed the Legal Cell to the effect that the case for grant of 3rd MACP benefit to the applicant has already been submitted to the PCDA (P) Prayagraj for issuance of corrigendum PPO and reference has been made to the communication dated 8th August, 2022 submitted by the Dogra Regiment.

5. It is indicated in the letter that in view of the matter pending before the PCDA for issuance of corrigendum PPO, for the present, no action is required to be taken.

6. Taking note of the aforesaid, we direct the PCDA (P) Allahabad to take note of the aforesaid communication and decide the issue with regard to issuance of corrigendum PPO and grant 3rd MACP benefit to the applicant within a period of two weeks from the date of receipt of a copy of this order, failing which, the officer of the PCDA in charge shall remain present in the Court with records for explaining as to why the matter has not been decided though a year has been passed.

7. A copy of the order be supplied to OIC Legal Cell who shall supply it to PCDA(P) Prayagraj for necessary compliance.

8. Re-list on **23.02.2024**.

9. DASTI to both the parties.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

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