

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

51.

MA 1552/2024 in OA 4041/2023

Sgt Ashish G Patel (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Dhiraj Kumar, Advocate
For Respondents : Mr. Kumar Gaurav, Advocate

CORAM

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

ORDER
30.08.2024

MA 1552/2024

Seeking implementation of an order passed in OA 4041/2023 on 20.12.2023, this application has been filed for execution of OA 4041/2023.

2. Applicant invoking the jurisdiction of this Tribunal sought grant of benefits in accordance to the law laid down in the case of *Sub M.L. Shrivastava and Ors* Vs. *Union of India [O.A No.1182 of 2018]* decided on 03.09.2021.

3. On the very first day of listing of the matter, without notice to the respondents, the application was allowed. However, while allowing the application, the respondents was granted liberty either to grant benefits to the applicant in accordance with the law laid down in the case of *Sub M.L. Shrivastava and Ors* Vs. *Union of*

India [O.A No.1182 of 2018] decided on 03.09.2021 and Lt Col Karan Dusad Vs. Union of India and others [O.A. No.868 of 2020 and connected matters] decided on 05.08.2022 or to pass a speaking order indicating the reasons as to why the same could not be granted.

4. Today, respondents have produced before us an order passed by the Competent Authority on 12.03.2024 wherein in para 2 & 3 various reasons have been given as to why the benefits cannot be conferred on the applicant. That being so, we are not inclined to proceed in the matter any further. A copy of the order dated 12.03.2024 be communicated to the applicant, if not already done. Applicant shall have the liberty to challenge it in accordance with the law and with the aforesaid, MA stands disposed of.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

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