

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

15.

MA 4161/2023 in OA 1763/2021

Gp Capt Prabhakar Zola	Applicant
Versus		
Union of India & Ors.	Respondents

For Applicant	:	Mr. Ajit Kakkar, Advocate
For Respondents	:	Mr. Prabodh Kumar, Advocate with Gp Capt V Sridhar, AV (Legal)

CORAM

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

O R D E R
24.01.2024

MA 4161/2023

After we proposed to pass an order for initiating contempt proceedings against the Officers concerned, learned counsel for the respondents, on instructions, prayed for a week's time to comply with the directions or seek further instructions in the matter.

2. It may be clarified that the order passed by us is not being implemented only on the ground that the Gazetted Notification with regard to appointment of the applicant has not been issued. In our considered view, once a judicial order has been passed by a constitutional court or statutory authority in the exercise of their judicial powers the procedure for publication of gazette notification has to be give a way based on the judicial order passed. The order has to be implemented without insisting upon

any Gazette Notification being issued. That being so, respondents are granted 10 days' time to comply with the order and submit a compliance report.

A copy of this order be provided DASTI to learned counsel for both the parties.

Re-list on 5th February, 2024.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

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