

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

1.  
CA 4/2014 in OA 04/2014 (RB, Kolkata)  
Lt. Col. Mukul Dev ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : None  
For Respondents : Mr. A. K. Gautam, Sr. CGSC

WITH

2.  
CA 7/2014 in  
Lt. Col. Mukul Dev ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : None  
For Respondents : Mr. A. K. Gautam, Sr. CGSC

WITH

3.  
CA 1/2023 with MA 4861/2023 with MA 4862/2023 with CA 25/2023 in OA 408/2017 AFT RB Chandigarh)  
Suo Moto AFT (RB) Chandigarh) ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Respondents : By Court at its own Motion  
Mr. A. K. Gautam, Sr. CGSC

WITH

4.  
CA 2/2023 with MA 4863/2023 with (CA 40/2023 in OA 408/2017 AFT RB Chandigarh)  
Suo Moto AFT (RB) Chandigarh) ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Respondents : By Court at its own Motion  
Mr. A. K. Gautam, Sr. CGSC

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE LT GEN C. P MOHANTY, MEMBER (A)  
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

**ORDER**  
**02.04.2024**

In CA 4/2014 and CA 7/2014 the respondents are represented. In CA 1/2023 and CA 2/2023 also, the respondents are represented. There is no representation on behalf of the applicant in CA 4/2014 and CA 7/2014 and applications for adjournment have been filed to which the respondents have submitted their non-opposition.

In the interest of justice, all the matters are directed to be re-notified for the date of **19.04.2024 at 2.15 p.m.**

Subject to orders of the Hon'ble Chairperson, the proceedings of the instant case as also the proceedings of *Suo moto* contempt cases of CA 1/2023 and CA 2/2023 shall be taken up through the Hybrid Mode. The Principal Registrar of the AFT, PB, New Delhi subject to orders of the Hon'ble Chairperson shall circulate the notice of the hearing of these four cases to be taken up on 19.04.2024 at 2.15 p.m. through the Hybrid Mode to all the Hon'ble Benches of the AFT to enable all learned counsel who seek to make submissions in relation to the issue in question which is to the effect:-

***“Whether a willful disobedience to or non-implementation of its order may amount to causing any interruption or disturbance in the proceedings of this Tribunal thereby attracting action for contempt, under Section 19 of the Act read with Rule 25?”***

which has been referred to the Larger Bench in CA 4/2014 and CA 7/2014 in view of the importance of the said issues as well as the importance of the issues as detailed in CA 1/2023 and CA 2/2023.

Permission is also granted hereby to all learned counsel who seek to assist through intervention to submit the compilation of judgments, rules and regulations and enactments that they seek to

rely upon, both in the physical form and in the e-form before the date 19.04.2024.

However, all the learned counsel who seek to assist by intervention shall submit an application to that effect with their names and enrolment numbers.

Furthermore, we consider it essential to appoint an *amicus curiae* in the matter for a fair analysis and adjudication of the aspect involved. The records of CA 1/2023 indicate that vide order dated 17.07.2023 of the AFT, Regional Bench, Chandigarh Mr. Navdeep Singh, Advocate has already been appointed as *amicus curiae* to assist in the matter. In the interest of justice, we consider it appropriate that he continues to assist the Bench in CA 1/2023 and also in CA 2/2023 and in CA 4/2014 and CA 7/2014 in all these matters and intimation to this effect be sent to Mr. Navdeep Singh, Advocate by the Registry.

However, we also consider it appropriate to appoint another *amicus curiae* in the matter after consultation between the Hon'ble Members of this Bench, who shall be so appointed before the date 19.04.2024 and intimation to the said learned counsel to assist us would be so issued before the date of hearing.

The matter be re-notified for hearing on **19.04.2024** at **2.15 p.m.**

**(JUSTICE ANU MALHOTRA)  
MEMBER (J)**

**(LT GEN C P MOHANTY)  
MEMBER (A)**

**(REAR ADMIRAL DHIREN VIG)  
MEMBER (A)**

