

**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
Shri R.K Mathur & Ors. Respondents

For Applicant : Mr. Rajiv Manglik, Advocate
For Respondents : Mr. Anil Gautam, Sr. CGSC with
Mr. V. Pattabhiram, Advocate
Mr. R.S. Chillar, Advocate
Amicus Curiae: Mr. Rajshekhar Rao, Sr. Advocate
Mr. Navdeep Singh, Advocate
Interveners: Mr. Ajit Kakkar, AFT PB Bar Association

WITH

2.

CA 7/2014 with OA 29/2014 (RB, Kolkata)

Lt. Col. Mukul Dev Applicant
VERSUS
Shri R.K Mathur & Ors. Respondents

For Applicant : Mr. Rajiv Manglik, Advocate
For Respondents : Mr. Anil Gautam, Sr. CGSC with
Mr. V. Pattabhiram, Advocate
Mr. R.S. Chillar, Advocate
Amicus Curiae: Mr. Rajshekhar Rao, Sr. Advocate
Mr. Navdeep Singh, Advocate
Interveners: Mr. Ajit Kakkar, AFT PB Bar Association

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)
VERSUS
Maj Gen Ashok Singh YSM SM Respondents

For Applicant : By Court at its own Motion
For Respondents : Mr. Anil Gautam, Sr. CGSC with
Mr. V. Pattabhiram, Advocate
Mr. R.S. Chillar, Advocate
Amicus Curiae: Mr. Rajshekhar Rao, Sr. Advocate
Mr. Navdeep Singh, Advocate
Interveners: Mr. Ajit Kakkar, AFT PB Bar Association

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)

VERSUS

Mrs. Alka Sharma Respondents
(Principal Integrated Financial Advisor)

For Applicant : By Court at its own Motion
For Respondents : Mr. Anil Gautam, Sr. CGSC with
Mr. V. Pattabhiram, Advocate
Mr. R.S. Chillar, Advocate
Amicus Curiae: Mr. Rajshekhar Rao, Sr. Advocate
Mr. Navdeep Singh, Advocate
Interveners: Mr. Ajit Kakkar, AFT PB Bar Association

WITH

5.

CA 4/2022 in OA 2740/2017 (RB CHANDIGARH) OA 431/2024 WITH MA 497/2024 (PB)

Col Anup Prakash Singh Sidhu (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Rajesh Nandal, Advocate
For Respondents : Mr. Anil Gautam, Sr. CGSC with
Mr. V. Pattabhiram, Advocate
Mr. R.S. Chillar, Advocate
Amicus Curiae: Mr. Rajshekhar Rao, Sr. Advocate
Mr. Navdeep Singh, Advocate
Interveners: Mr. Ajit Kakkar, AFT PB Bar Association

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
29.04.2024

The Registry is directed to print a copy of the compilation that has been sent on behalf of the learned *amicus curiae* Navdeep Singh, received by Diary No. 1068 dated 29.04.2024 and supply the same to the learned counsel for the respondents.

2. Pursuant to order dated 19.04.2024 whereby the Registry was directed to collect the information in relation to specific pendency of execution petitions pending before the AFT (RB) Kochi Bench and all the details of the execution applications where such executions have been effected, a report has been placed before us as received from the Registrar of the AFT (RB) Kochi which indicates to the effect that as on the date 05.04.2024, 201 execution applications were pending before the Hon'ble AFT (RB) Kochi and that though in OA 03/2012 *Anil Kumar B Vs. Union of India & Ors.* of the said Bench in MA 361/2013 in the said OA, contempt proceedings were initiated vide order dated 23.06.2014, the matter was closed, in view of the implementation of the said order as per order dated 20.10.2014 in MA 361/2013, copy of which has been submitted.

3. Submissions have been concluded on behalf of the applicants in CA 4/2014 and CA 7 of 2014 as well as CA 4/2022. Learned counsel Mr. Rajesh Nandal for the applicant of CA 4/2022 has adopted the submissions that have been made on behalf of the applicant of CA 4/2014 and CA 1/2023. Submissions have been addressed partly by the *amicus curiae* Mr. Rajshekhar Rao, Senior Advocate which will also continue now on 01.05.2024 at 2:15 P.M. Submissions have been addressed by learned *amicus curiae* Mr. Navdeep Singh.

4. A compilation of judgments has been submitted on behalf of the *amicus curiae* Mr. Rajshekhar Rao, Senior Advocate along with rules & regulations and the legal enactments sought to be relied upon. A compilation of judgments has been filed on behalf of the learned *amicus curiae* Mr. Navdeep Singh.

5. In view of the submissions made by Learned *amicus curiae* Mr. Navdeep Singh, that pursuant to orders of the Hon'ble High Court of Punjab and Haryana dated 09.05.2014 and 09.12.2024 in Civil Writ Petition 25149/2014 and pursuant to orders of the Hon'ble AFT RB Chandigarh on attachment orders having been issued, there was compliance made by the respondents of the orders of the Tribunal, the copies of the orders of the AFT(RB) Chandigarh whereby attachment orders were issued and the reports of compliance thereof be placed on the record.

6. The Principal Registrar of the AFT (PB) New Delhi is directed to ensure that all proceedings prior to the

date 30.05.2023 in CA 25/2023 in OA 408/2017 now numbered as CA 1/2023 before us be called for from the AFT (RB) Chandigarh and be placed before us for the date 01.05.2024. Likewise in CA 2/2023 the proceedings on the records commence with order dated 17.07.2023 of the Hon'ble AFT (RB) Chandigarh at Chandimandir and all proceedings prior to the said date, in CA 40/2023 in OA 408/2017 as placed before us now in CA 2/2023 with MA 4863/2023 with (CA 40/2023 in OA 408/2017 AFT RB Chandigarh) be placed before us on 01.05.2024.

7. The matter is directed to re-notified on **01.05.2024** at **2:15 PM**. The date 03.05.2024 is however cancelled.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

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

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

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