

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

31.

MA 3527/2023 WITH MA 846/2024 IN OA 276/2022

Lt Col Nandita Satpathy Applicant
Versus
Union of India & Ors. Respondents
For Applicant : Mr. S S Pandey, Advocate
For Respondents : Mr. Satya Ranjan Swain, Advocate

WITH

32.

MA 42/2024 IN MA 113/2021 IN OA 1404/2017

Ex MCEAR-II Satyavir Singh Applicant
Versus
Union of India & Ors. Respondents
For Applicant : Mr. J P Sharma, Advocate
For Respondents : Mr. Y P Singh, Advocate

WITH

33.

MA 938/2023 IN OA 631/2017

Ex Nk Jaswant Singh Applicant
Versus
Union of India & Ors. Respondents
For Applicant : Mr. SM Dalal, Advocate
For Respondents : Gp Capt Karan Singh Bhati, Sr. CGSC

CORAM

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

ORDER
08.05.2024

MA 3527/2023

1. In pursuance to various orders the following officers
are present.

(i) Dr. Niten Chandra, IAS, Secretary Deptt. of Ex-servicemen Welfare, Ministry of Defence

(ii) Shri Sugata Ghosh Dastidar, IDAS, Financial Advisor (Defence Services)

(iii) Smt. Devika Raghuvanshi, IDAS Addl. CGDA (officiating CGDA)

(iv) Shri Shaym Dev, IDAS, PCDA (Pension), Allahabad

(v) Major General G.D. Choudhry, SM, VSM, Joint Secretary (Army & TA)

2. Respondents have filed an affidavit indicating that in pursuance to the directions issued by this Tribunal on 19.04.2023 in OA 276/2022 compliance have been made. The applicant in OA 276/2022 has been reinstated in the service. Therefore, nothing further remains to be done in this MA 3527/2023. However, learned counsel for the applicant submits that certain consequential benefits arising out of the implementation of the order has not been granted to the applicant.

3. We grant a week's time to learned counsel for the applicant to file a detailed affidavit indicating the benefits which are still to be granted to the

applicant and direct the respondents to ensure that all consequential benefits are granted to the applicant.

4. The Reinstatement orders dated 02.05.2024 issued by Col MS-7 on behalf of Military Secretary (MS) has been brought on record.

5. List the matter on **21st May, 2024** at **2:15 P.M.** for considering the further hearing. Personal presence of the officers is dispensed with.

MA 42/2024 AND MA 938/2023

6. We grant further six weeks' time to the respondents to ensure that the amount accruing to the applicants by virtue of the orders passed by this Tribunal is remitted and the PPOs accordingly issued. The amount shall be credited to their respective bank accounts after following the due process as per revised PPO, with both the pension and the arrears paid.

7. As far as, disposal of the matters on such compliance is concerned, we have already taken judicial notice of the fact that more than 4,389 applications for executions are pending before the Armed Forces Tribunal wherein 1,690 applications are pending before Armed Forces Tribunal, Principal Bench at New Delhi and the remaining at all other Regional Benches. That being so, today at the time of hearing we have

suggested to the concerned officers present for preparation of proposal to fix timelines for implementation of the orders of the Tribunal, so also fix specific responsibilities on the office/ departments to process the matter at different stages and submit the proposal for our consideration on the next date of hearing.

8. After taking note of the same and discussing the issue with learned counsel for the applicant and for the respondents, this Tribunal proposes to pass a judicial order, fixing a detailed timeline for the implementation of the orders at the stage of adjudication of execution applications.

9. We grant six weeks' time to the respondents to submit the said proposal so also to comply with the orders passed by this Tribunal in MA 42/2024, MA 938/2023, MA 4798/2023, MA 3338/2023, MA 5386/2023 and OA 2817/2022.

10. We also direct that a Nodal Officer be appointed by the Departmental Authorities so that his presence on the subsequent hearing is available to assist in the process of formulating a time bound procedure for purpose of execution.

11. List these matters on **10th July, 2024 at 2:15 P.M.**

12. Let a copy of this order be provided *DASTI* to learned counsel for the parties.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

Ps
MA 3527/2023