

**COURT No.1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

1.

OA 276/2011

Brig P.S. Gill	Applicant
VERSUS		
Union of India and Ors.	Respondents

For Applicant	:	Mr. K. Ramesh, Advocate
For Respondents	:	Mr. Anil Gautam, Advocate

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**HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)**

**ORDER
05.10.2020**

Having heard Mr. K. Ramesh, learned council for the applicant, we find that in the light of the orders passed by this Tribunal on 24th May 2011 in OA No. 147/2010 and subsequently upheld by the Hon'ble Supreme Court, the respondents should inform us as to why the result of the Selection Board held should not be de-classified and the recommendations implemented in the case of the applicant as prayed for by him in para 8(A) of the prayer clause.

2. Even though, on the last date, finding a prima facie case made out, we had issued notice to the respondent and requested Mr. Anil Gautam, learned council for the respondent to seek instructions. He submits that due to certain administrative constraints he has not received any instructions. He prays for ten days further time to do so. As a matter of last indulgence we grant ten days time to learned counsel for the respondents to seek

instructions as indicated in the last order and convey the same to us by the next date.

3. The matter be now listed on 16th October 2020 for further orders. We make it clear that if for reasons which are not properly explained, the respondents try to delay the matter, we may proceed without granting any further time to them. We are constrained to observe so for the simple reason that the Hon'ble Supreme Court had decided the issue in April, 2020 and now about six months are going to be over but the respondents have not implemented the order. Taking note of the aforesaid, we direct the respondents to ensure that the instructions are given to the counsel and conveyed to us on the next date.

4. Adjourned and list again on 16th October, 2020.

5. A copy of this order be provided **DASTI** to learned council for the parties.

(RAJENDRA MENON)
CHAIRPERSON

(P.M. HARIZ)
MEMBER (A)

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