

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

22.

MA 5100/2023 in OA 649/2021

Maj Gen Bipin Bakshi AVSM VSM (Retd) ..... Applicant

Versus

Union of India & Ors. .... Respondents

For Applicant : Mr. Raiv Manglik, Advocate  
For Respondents : Mr. Kushagra Pandey, Advocate for  
Mr. Karan Singh Bhati Sr CGSC,

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON  
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

O R D E R  
12.09.2024

In spite of specific directions issued on 12.07.2024, nothing has been done and no details have been furnished as to why the claim has not been settled which was said to be pending before the PIFA(Q&M) for financial concurrence on 12.07.2024 when the matter was taken up on the last date of hearing. The order in question was passed by this Tribunal on 23.12.2022, about two years would be over by December of this year, it is a regular feature in most of the execution applications pending before this Tribunal for more than two to three years. Total pendency in the Armed Forces Tribunal is more than 7000 cases and 90% of the case, the delay is on account of some objection being created by the financial authorities particularly the Office of PIFA and CDA. Now after the full bench judgment of this Tribunal in the case of *Lt. Col Mukul Dev Vs Shri R.K.Mathur &*

Ors. (CA 4/2014 in OA 04/2014 decided on 31.07.2024), this Court can take Contempt action against those officers also who are sitting over the orders of this Tribunal as if it is an Appellate Authority and taking all sorts of objections. We have seen certain objections in certain files and we issue a warning to financial authorities that they have no statutory power or Constitutional authority to sit in appeal over our orders. The only option available to them is to challenge our orders either before the Hon'ble High Court or Hon'ble Supreme Court and if they sit over our orders and raise financial objections as if they are auditing our orders we will be constrained to take Contempt action personally against the officers who are responsible for the same. As a matter of last indulgence we grant one week's time to the Office of PIFA(Q&M) to submit a compliance report to this Tribunal within two weeks failing which we shall order his personal appearance, seek explanation from him and if not satisfied, initiate Contempt of Court proceedings against him in accordance with law laid down in the case of *Lt. Col Mukul Dev Vs Shri R.K.Mathur & Ors.* (CA 4/2014 in OA 04/2014 decided on 31.07.2024).

List the matter for further compliance on **26.09.2024**. We make it clear that if the proper compliance is not done by the said date we will take coercive action in the matter as indicated hereinabove.

**‘DASTI’.**

**[JUSTICE RAJENDRA MENON]  
CHAIRPERSON**

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

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