

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

59.

MA 5100/2023 in OA 649/2021

Maj Gen Bipin Bakshi AVSM VSM (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Rajiv Manglik, 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)

O R D E R
21.05.2024

MA 5100/2023

As a matter of last indulgence, we grant four weeks' time to respondents to comply with the order and submit the compliance report failing which on the next date the respondents should indicate to us the particulars of the motor vehicles owned by the ADGPS and if the order is not complied, the Tehsildar will be directed to seize the vehicle immediately on the same date and present before this Tribunal. We are passing this order in accordance with the provisions laid down under Order 21 of the CPC and in view of the directions contained in the order passed by the Division Bench of Punjab and Haryana High Court in the case of *Navdeep Singh Vs. Union of India and others* (Civil Writ Petition No.27324 of 2013), wherein it has been held

by the Division Bench of the Hon'ble High Court that AFT has the power to invoke the powers under Order 21 of the CPC, we are constrained to pass such an order in view of the fact that the RSMB was directed by this Tribunal to consider the applicant's case a year back and even after conduct of the RSMB more than 3 months back nothing has been done. In case the respondents comply with the order, they may file the compliance report immediately and seek recall of this order.

2. List again on 3rd July, 2024.
3. 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)

Priya/KT
MA 5100/2023