

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

28.

MA 2777/2024 IN OA 1102/2019

Ex Nk Anand Ballabh ..... Applicant  
Versus  
Union of India & Ors. .... Respondents

For Applicant : Mr. Ved Prakash, Advocate  
For Respondents : Mr. Prabodh Kumar, Sr. CGSC

CORAM

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

ORDER  
05.08.2025

MA 2777/2024

Seeking implementation of the order passed in OA 1102/2019 on 03.05.2023, this execution application has been filed.

2. The notice was issued on 24.07.2024 and since then, this application is pending. The costs of Rs.1,00,000/- on 30.08.2024 and further, the costs of Rs.50,000/- on 13.11.2024 was imposed on the respondents for non-implementation of the order but in spite of time being granted and imposition of costs, when nothing was done, notice was issued to the respondents under Order XXI Rule 11 (2) (j) of the CPC, 1908 and in pursuance to the same, Maj Toraskar Deepak Shivaji appeared and filed an

affidavit on 22.05.2025 and in Para 9 and 10 of the affidavit, the following statement or oath was made:

*“9. That, it is humbly submitted with due respect that the order of Hon’ble AFT (PB) New Delhi has been processed earnestly with speed of competent authority for finalization of the case. However, Govt Sanction has not been received till date from IHQ of MoD (Army). Moreover, status of filing of Writ Petition in the Hon’ble High Court is still awaited from AFT Cell (High Court) HQ Delhi Area.*

*10. That, it is therefore most respectfully prayed that in view of the submission made in preceding paragraphs, the Hon’ble AFT may graciously be pleased to accept the affidavit as deponent and kindly grant additional time for compliance of Hon’ble AFT Order dated 03 May 2023.”*

3. Thereafter, time has been granted to the respondents on various dates and when the matter is taken up today neither the costs is paid nor the order passed by this Tribunal is complied with or a writ petition is filed and appropriate orders obtained from the Hon’ble High Court.

4. Taking note of the aforesaid, we direct the Officer-in-Charge of the AFT Cell (High Court) HQ Delhi Area to remain personally present before this Tribunal on **25.08.2025** at **10:30 A.M.** along with a report as to why the order has not been complied with and why in spite of an affidavit being filed before this Tribunal, as indicated hereinabove, the undertaking given in the affidavit has not been complied with. Notice be also issued to Maj Toraskar Deepak Shivaji,

who has sworn the affidavit, to appear before this Tribunal on 25.08.2025 and indicate why action should not be taken against him for not complying with the submissions made on oath before this Tribunal and proceedings be not initiated against him for breaching the directions of this Tribunal and causing interference in the implementation of the order of this Tribunal.

5. List the matter on **25.08.2025** at **10:30 A.M.**

6. Office is also directed to ensure that notices to both the officers are issued for their personal appearance on the aforesaid date at 10:30 A.M.

7. A copy of this order be also forwarded to GOC Delhi Area and he is requested to take note of the manner in which the cases are being dealt with in this Tribunal and how orders passed by this Tribunal are not being implemented in spite of affidavits and undertaking given before this Tribunal.

8. A copy of this order be provided ***DASTI*** to learned counsel for the parties.

**[JUSTICE RAJENDRA MENON]**  
**CHAIRPERSON**

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