

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

53.

MA 3735/2023 IN OA 959/2020

Ex Sep/DSC Rajendra Singh ..... Applicant  
Versus  
Union of India & Ors. .... Respondents

For Applicant : Mr. US Maurya, Advocate  
For Respondents : Mr. K K Tyagi, Sr. CGSC

CORAM

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

O R D E R  
20.08.2024

MA 3735/2023

The order passed by this Tribunal in OA 959/2020 on 03.05.2023 has neither been implemented nor challenged before any higher forum, despite the lapse of three months, the respondents have failed to comply with the aforesaid order. Consequently, the applicant invoked the jurisdiction of this Tribunal by filing the present application, i.e. MA 3735/2023 under Section 29 of the Armed Forces Tribunal Act, 2007, on 05.09.2023, approximately one year ago.

2. Notice was issued to the respondents on 13.09.2023, granting them six weeks' time to file a compliance report. Subsequently, further extensions of four weeks were granted

on 21.11.2023, 21.04.2024 and as a last indulgence on 10.07.2024. Despite these repeated extensions, the respondents have failed to file the compliance report and the order passed by this Tribunal still remains unimplemented or challenged before a Higher Court.

3. In view of the aforementioned circumstances, this Tribunal deems it appropriate to initiate Contempt of Court proceedings against the respondents. Accordingly, treating this MA 3735/2023 as a contempt proceedings, in accordance with the law laid down by the Full Bench of this Tribunal in the case of *Lt Col Mukul Dev Vs. Shri R.K. Mathur & Ors* [CA 4/2014 in OA 04/2014 (RB, Kolkata), decided on 31.07.2024].

4. Notices be now issued to the official respondents in OA 959/2020, i.e., respondents No.1 to 4, therein directing them to show cause as to why contempt proceedings should not be initiated against them or the officers responsible for willful disobedience and failure to implement the directions of this Tribunal.

5. The Principal Registrar of this Tribunal is directed to issue the said notice to the official respondents No. 1 to 4 in OA 959/2020 along with a copy of this order. The respondents are directed to submit their

response/compliance report within four weeks from the date of receipt of the notice or indicate the office or name of the officers responsible for the delay in implementing the order passed by this Tribunal so that appropriate action can be taken against the concerned officers.

6. List again on **03.10.2024**.

7. A copy of this order be given '*DASTI*' to both the parties.

**[JUSTICE RAJENDRA MENON]  
CHAIRPERSON**

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

**Ps  
MA 3735/2023**