

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

57.

MA 641/2025 in OA 433/2016

Lt Cdr Ravinder Pal Singh Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Pooja Dhar, Advocate
For Respondents : Mr. Karan Singh Bhati, Sr. CGSC

CORAM

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

ORDER
13.02.2025

MA No.641/2025

This Application has been filed by the Union of India through the Naval authorities seeking extension of time to implement the common Order dated 27.09.2024 passed by this Tribunal in a bunch of cases in OA No.433/2016 (*Lt. Cdr. Ravinder Pal Singh vs. UOI and Ors.*). In para 66 of the order passed by this Tribunal, the following directions had been issued:-

“66. In view of the above consideration, the OA is allowed to the extent that all applicants will be reconsidered by a special board as per directions below.

(a) Respondents to hold a Special Board to reconsider all SSCOs who were considered by the Special Board of Dec 2020 and Sep 2022 and were not granted PC. The Board be conducted based on the merit as on Dec 2020/Sep 2022.

(b) Respondents to issue requisite instructions on the conduct of this Board to include criteria for consideration, marks assigned for various criteria, overall assessment methodology and any other detail as deemed appropriate and required, while ensuring

the peculiarities of the Navy and its operational preparedness and requirements.

(c) Fresh willingness of those who were considered by the Special Board Dec 2020 and Sep 2022 and have since been released be ascertained prior to conduct of the Board.

(d) Based on the results of this Board, those SSCOs who are continuing in service and not granted PC, and have completed the minimum pensionable service be released from service with full pensionary benefits, and the rest be released as per existing norms.

(e) Respondents to examine options for making SSC entry attractive and to this end examine the feasibility of granting pro-rata pension in addition to other measures that the respondents may adopt to improve the severance package of SSCOS.”

2. It is the case of the applicants-Union of India before us that against the Order passed by this Tribunal, as indicated hereinabove, some of the aggrieved applicants have approached the Hon’ble Supreme Court and the Hon’ble Supreme Court in certain Civil appeals e.g. in Civil Appeal filed vide diary No.53802/2024 *Yogendra Kumar Singh vs. UOI & Ors.* had passed an order on 16.12.2024 issuing notice to the Union of India and an interim relief has been granted to the effect that the appellants therein should be permitted to continue in service during the pendency of the civil appeal. It is the contention of the Union of India that the appellants who have approached the Hon’ble Supreme Court have also challenged the direction pertaining to holding of a special board to reconsider the case of the SSCOs for grant of permanent commission. However, no stay

in holding of the selection proceedings has been granted and in view of the situation created if ultimately the Hon'ble Supreme Court allows the civil appeal filed by some of the applicants and even the direction to conduct the special board is quashed, it may create a situation where certain applicants who have not approached the Tribunal may be put to disadvantage.

3. Learned counsel for the applicants who have approached the Hon'ble Supreme Court submits that there is no stay with regard to conduct of the selection board before the Hon'ble Supreme Court in their case also the selection process can go on.

4. Taking note of the totality of all the circumstances and considering the fact that the Hon'ble Supreme Court has not stayed the Order passed by this Tribunal on 27.09.2024 and has only directed for continuing the applicants in service who were before the Supreme Court, we deem it appropriate to dispose of this Application with the following directions:-

(a) The applicant-Union of India in this Application is granted three months' time from today to conduct a special board and to reconsider all the SSCOs for grant of permanent commission as directed in para 66 of the Order passed by this Tribunal dated 27.09.2024.

(b) So far as the applicants who have challenged the Order passed by this Tribunal before the Hon'ble Supreme Court are concerned, in their case the outcome of the special selection board be kept in a sealed cover and in the case of other applicants

who have not approached the Hon'ble Supreme Court, in their case the result of the special board be declared and implemented in accordance with the recommendations of the board.

(c) That apart, the Union of India is directed to place a copy of this Order before the Hon'ble Supreme Court for their consideration and issuing any appropriate directions, if warranted in the facts and circumstances of the case.

5. With the aforesaid, the MA stands disposed of.

6. Let a copy of this Order be issued **dasti** to both the parties.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

/vb/