

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

56.

MA 4258/2023 IN OA 1483/2021

Cdr A K Srivastava (Retd)	Applicant
Versus		
Union of India & Ors.	Respondents
For Applicant	:	Mr. K.R. Verma, Advocate
For Respondents	:	Mr. Avdhesh Kumar Singh, Advocate

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 4258/2023

Despite more than a year having passed since the decision in OA 1483/2021 on 27.02.2023, the respondents have not complied with the order passed by this Tribunal. Repeated opportunities have been granted to them to do so since 09.10.2023 in the present execution application, i.e., MA 4258/2023. The respondents still failed to comply with the order when the matter was taken up on 29.02.2024, after which they were granted an additional four weeks' time. However, even today, when the matter was taken up, nothing has been done, and no Writ Petition has been filed.

2. In view of the above, this Tribunal deems it appropriate to initiate Contempt of Court proceedings against the

respondents. Accordingly, treating this MA 4258/2023 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].

3. Notices be now issued to the official respondents in OA 1483/2021, i.e., respondents No.1 to 3, 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.

4. The Principal Registrar of this Tribunal is directed to issue the said notice to the official respondents No.1 to 3 in OA 1483/2021 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 the 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.

5. List again on **03.10.2024**.
6. 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 4258/2023