

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

48.

MA 3866/2024 IN OA 1494/2024

Sgt Barun Dubey (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Dhiraj Kumar, Advocate
For Respondents : Sgt P.K. Yadave, Deptt. Reptt.

CORAM

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

O R D E R
28.03.2025

MA 3866/2024

This execution application pertains to the order passed by this Tribunal on 07.05.2024 in OA 1494/2024.

2. The OA was allowed on the very first date without issuing notice to the respondents in accordance with the law laid down in the case of *Sub M.L. Shrivastava and Ors. vs. Union of India & Ors.* [OA No. 1182 of 2018], decided on 03.09.2021. The respondents were given the option to either grant the benefit to the applicant or after examining the matter take appropriate action.

3. During the examination, it is the case of the respondents that the applicant is not entitled to the benefit.

Consequently, a speaking order was passed on 13.03.2025 rejecting the applicant's claim.

4. In view of the above, nothing survives in this execution application. If the applicant is aggrieved by the speaking order, he may challenge it and re-agitate the matter in accordance with the law.

5. With the aforesaid liberty to the applicant, the MA stands disposed of.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

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