

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

2.

OA 713/2023 with MA 1050/2023

In the matter of :

JWO R K Prasad (Retd)

... Applicant

Versus

Union of India &Ors.

... Respondents

For Applicant : Shri Raj Kumar, Advocate

For Respondents : Gp Capt. Karan Singh Bhati, Sr. CGSC

CORAM :

**HON'BLE MR. JUSTICE RAJENDRA MENON,
CHAIRPERSON**

HON'BLE LT. GEN. RANBIR SINGH, MEMBER (A)

O R D E R
23.03.2023

Issue notice to the respondents. Even though in a large number of cases we have allowed similar petitions based on the judgment rendered by the Madras High Court, Central Administrative Tribunal and this Court, learned counsel for the Respondents Shri K.S. Bhati invites our attention to two orders passed recently by Hon'ble Supreme Court on 31.01.2023 and 17.03.2023 in Civil Appeal Diary No.(s) 874/2023 and Civil Appeal Diary No.(s) 2853/2023 wherein identical orders passed by the Regional Bench of this Tribunal at Lucknow disposing of similar cases have been taken note of. The delay has been condoned, notices on the Civil Appeal have been issued and operation of the orders

passed by the Regional Bench, AFT, Lucknow in the Original Applications have been stayed. Keeping in view the aforesaid, judicial propriety requires that during pendency of the matters, these petitions should not be finally heard. Therefore, we direct for issuance of notice and allow parties to make a mention as and when any order is passed by the Hon'ble Supreme Court either disposing of the SLP or modifying the Interim Order.

We adjourn the matter ***sine-die***.

[RAJENDRA MENON]
CHAIRPERSON

[RANBIR SINGH]
MEMBER (A)

/sm/ts