

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

11.

MA 1563/2023 IN OA 2579/2022

Dfr Rajpal (Retd) ..... Applicant  
Versus  
Union of India & Ors. .... Respondents

For Applicant : Mr. Manoj Kumar Gupta, Advocate  
For Respondents : Mr. Mohit Kumar Singh, Advocate

CORAM

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

ORDER  
22.08.2025

MA 1563/2023

This application has been filed for execution of the order passed by this Tribunal in OA 2579/2022. The order in question was passed on 16.11.2022 and the matter pertains to grant of notional increment to the applicant herein.

2. As the order was not implemented within three months of the passing of the order, this execution application was filed on 13.04.2023. For more than two years, this execution application is pending before this Tribunal. On 21.04.2023, notice was issued to the respondents to comply with the order and the records indicate that on more than 22 hearings, the matter was adjourned because the respondents wanted time to comply with the order. From 18.12.2024 onwards time is being granted to the respondents on one

pretext or the other even action for contempt was initiated against the respondents but nothing happened. Thereafter, on 25.04.2025, we were informed that the Pay Accounts Office (OR) Armd Corps Ahilyanagar, Maharashtra-414002 is taking action in the matter and PPO would be issued very soon. From 25.04.2025, for more than four months, the matter is pending. We issued notice to the Officer-in-Charge, Pay & Accounts Office (OR) Armd Corps Ahilyanagar, Maharashtra vide order passed on 25.04.2025 and directed an officer from their office to appear and indicate the action taken. When the matter was taken up on 15.05.2025, a communication was received which indicated that on 22.04.2025 and thereafter, on 10.05.2025, orders have been passed, Govt. Sanction has been received for payment of notional increment and the matter was pending with the Accounts Office, PCDA (P) SPARSH SECTION, Prayagraj and the Pay Accounts Office (OR) Armd Corps Ahilyanagar, Maharashtra were to take action in the matter. On 15.05.2025, taking note of all these factors, we had indicated that the Office of the PCDA (P), Prayagraj and the Accounts Office should coordinate and ensure that the PPO is issued and the order complied with. Taking note of the indications made personal appearance of the Officer-in-

Charge, Pay & Accounts Office (OR) Armd Corps Ahilyanagar, Maharashtra was dispensed with. We, thereafter, forwarded the copies of the orders to the Competent Authorities and when the matter was taken up on 03.07.2025, we were informed that the PPO for granting pension to the applicant in compliance with the order passed is under process. The PCDA (P), Prayagraj, has sought for certain information and records from the Records Office and as the records have not been received; immediately on receipt of the records from the Records Office, the PCDA (P), Prayagraj will issue the PPO and two weeks' time was granted.

3. Thereafter, the matter was taken up on 31.07.2025, when again two weeks' time was granted for issuance of PPO and today, when the matter is taken up, we are informed that the details and other particulars from the Record Office have not been received and the Office of the PCDA (P), Prayagraj is unable to issue the PPO.

4. Taking note of the manner in which the Office of the Records Office is dealing with the matter, in spite of the personal appearance of an officer concerned who had promised on 15.05.2025 that action would be taken, today, we are informed that for want of certain clarifications and

details from the Records Office, the PPO could not be issued. We find that in series of cases on account of bureaucratic delay and non-movement of file on time, payment of pension and disabilities pension are being delayed and execution applications are pending for years together without these being disposed of. This Tribunal had been lenient in not taking any contempt action in such cases and we find that the officers are *dilly dallying* the matter and in some way or the other, trying to avoid implementation of the order.

5. Keeping in view the aforesaid, we direct that the Officer-in-Charge, Pay & Accounts Office (OR) Armd Corps Ahilyanagar, Maharashtra shall remain present before this Tribunal on **11.09.2025** with all the records. We further impose a costs of Rs.25,000/- on the respondents for delay in finalizing the matter and the same be paid to the applicant. In the first instance, the costs shall be paid by the official respondents and thereafter the costs shall be recovered from the Officer-in-Charge who is responsible for the delay in the Office of the Records Office.

6. List the matter on **11.09.2025**. However, it is made clear that the Officer-in-Charge of the Record Office shall personally appear before this Tribunal and no exemption from personal appearance or delegation of authorities to send

a representative shall be permitted in the matter. In case this order is not complied with, we shall forward the matter for taking contempt action against the officer concerned to the Hon'ble Chief Justice of India for registering a contempt proceedings and taking action against the officer concerned.

7. A copy of this order be provided *'DASTI'* to learned counsel for the parties.

[JUSTICE RAJENDRA MENON]  
CHAIRPERSON

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

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MA 1563/2023