

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

17.

MA 3733/2023 IN OA 1947/2020

Ex Sgt Kamlesh Kumar Singh Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Durgesh Kumar Sharma, Advocate
For Respondents : Mr. K K Tyagi, Sr. CGSC

CORAM

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

O R D E R
04.07.2025

MA 3733/2023

An order passed by this Tribunal on 10.05.2023 in OA No. 1947/2020 is sought to be implemented by this MA.

2. The respondents had earlier indicated that a writ petition had been filed before the Hon'ble Delhi High Court and that the same was pending; hence, they were awaiting the decision of the Hon'ble High Court.

3. Today, learned counsel for the applicant has produced before us a copy of the order passed by a Division Bench of the Hon'ble Delhi High Court on 27.05.2025 in Writ Petition No.7456/2025, titled Union of India & Ors. vs. Ex Sgt Kamlesh Kumar Singh, wherein the orders passed by this Tribunal in OA No.1947/2020 and the order passed in the Review Application No. 48/2023 were challenged. The said

Writ Petition has been dismissed by the Hon'ble Division Bench, as indicated above.

4. In Para13 of the order passed by the Hon'ble Delhi High Court, it is clearly stated that **“compliance with the impugned order of the AFT, if not already ensured, be ensured within a period of four weeks from the date of the order”**, meaning thereby, the order of the Hon'ble Delhi High Court was to be complied with on or before 27.06.2025.

5. However, the said date has already passed and till date the respondents have not complied with the order. This clearly amounts to contempt of the Hon'ble High Court's order. Since the contempt committed, in our considered view, pertains to non compliance of the order passed by the Hon'ble Delhi High Court, the matter should be placed before the Hon'ble High Court for its consideration.

6. Accordingly, the Joint Registrar (Judicial) of this Tribunal is directed to forward a letter to the Registrar General of the Hon'ble Delhi High Court, along with a copy of this order, with a request to place the matter before the Division Bench which passed the order dated 27.05.2025 in Writ Petition No.7456/2025, to take note of the fact in the matter of non-compliance of the order passed by the Hon'ble Bench on 27.05.2025.

7. The Joint Registrar (Judicial) shall ensure that this order is complied with and the communication is made to the Registrar General of the Hon'ble Delhi High Court by 07.07.2025.

8. List the matter on 08.09.2025.

9. Let 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 3733/2023