

COURT No.2  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

12.

MA 5333/2023 in OA 788/2020

Ex PO LOG (SC) Manish Kumar Singh ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr. Ved Prakash, Advocate  
For Respondents : Ms. Barkha Babbar, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

**ORDER**  
15.07.2024

There has been no compliance of directions dated 23.08.2023 in OA 788/2020 by the respondents. A submission is now made on behalf of the respondents that they intend to assail the order dated 23.08.2023 in OA 788/2020 by filing a writ petition which was also so submitted on 29.04.2024 by the respondents. Thus, in as much as vide order dated 29.04.2024 it has been observed categorically to the effect:-

*“On behalf of the respondents, learned counsel present submits that the respondents intend to assail the order dated 23.08.2023 in OA 788/2020 by filing a writ petition. Vide a separate order dated 23.08.2023, the prayer made by the respondents seeking grant of leave to appeal in terms of Section 31(1) of the AFT Act, 2007, has already been declined. Notice of the present application MA 5333/2023 was issued on 20.12.2023 and vide order dated 11.03.2024 four weeks' time was granted to the respondents to file the compliance report of compliance of directions dated 23.08.2023 in OA 788/2020.*

*2. In view thereof, in the event of there being no stay order of the operation of the order dated 05.09.2023 in OA 506/2020 being placed on the record by the respondents, the respondents shall place on record the affidavit for compliance*

*of the said directions on the next date of hearing along with a demand draft for payment of costs of a sum of Rs. 50,000/- in the name of the applicant.*

*3. The prayer made on behalf of the respondent seeking that the costs as imposed hereinabove be waived, is declined. A further prayer made on behalf of the respondents that the costs is imposed hereinabove be reduced, is also declined.*

*4. The matter be re-notified for hearing on 15.07.2024. The copy of this order be given 'DASTI' to the respondents, as prayed,"*

neither the costs in terms of the order dated 29.04.2024 have been paid by the respondents nor is there any stay order of the operation of the order dated 23.08.2023 in OA 788/2020 be placed on the record. Thus for the repeated non-compliance of the directions dated 23.08.2023 in OA 788/2020, in addition to the costs as imposed vide order dated 29.04.2024 of sum of Rs. 50,000/- to be paid by the respondents vide a demand draft in favour of the applicant, the respondents are further directed to pay the additional costs of a sum of Rs. 75,000/- now imposed on them in the name of the applicant vide a demand draft in the name of the applicant which be so handed over to the applicant on the next date of hearing

3. The matter be re-notified for hearing on **02.09.2024**.

Copy of this order be given '**DASTI**' as prayed.

**(JUSTICE ANU MALHOTRA)**  
**MEMBER (J)**

**(LT GEN C.P. MOHANTY)**  
**MEMBER (A)**