

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

32.

MA 2312/2023 in OA 764/2023

**In the matter of :**

**Sgt Dillip Kumar Swain (Retd) & Ors... Applicant**

**Versus**

**Union of India & Ors.**

**... Respondents**

**For Applicant : Shri Tatsat Shukla & Deepak Bhatt,**  
Advocate

**For Respondents : Shri Rakesh Dhawan, Advocate**

**CORAM :**

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

**O R D E R**

**31.05.2023**

Considering the fact that the issue has already been decided not only by various Benches of this Tribunal but also by Hon'ble Supreme Court in the matter of **The Director (Admn and HR) KPTCL and Ors. Vs. C.P. Mundinamani and Ors.** (Civil Appeal No. 2471/ 2023) decided on 11.04.2023, for the present, we dispose of this application with the following directions.

- (i) On the applicant filing a representation along with a certified copy of this order and relevant

particulars of the orders passed on the issue involved, respondents shall decide the same in accordance with law within a period of two months from the date of receipt of a copy of this order and communicate the decision to the applicant

- (ii) if still aggrieved, the applicant will have the option to seek revival of this matter in accordance with law.

2. Both OA and MA thus stands disposed of.

**[RAJENDRA MENON]**  
**CHAIRPERSON**

**[C P MOHANTY]**  
**MEMBER (A)**