

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

55.

MA 3340/2024 IN OA 1231/2024

Sgt Neelachalam Patnaik B (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Dhiraj Kumar, Advocate
For Respondents : Mr. S S Sinha, Advocate

CORAM

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

ORDER
09.10.2024

MA 3340/2024

This application has been filed by the applicant seeking execution of the order passed by this Tribunal on 16.04.2024 in OA No. 1231/2024.

2. The said OA was disposed of at the admission stage without notice to the respondents following the law laid down by a Coordinate Bench of this Tribunal in the case of

Sub M.L. Shrivastava & Ors. Vs. Union of India (O.A. No. 1182/2018), decided on 03.09.2021. The OA was disposed of with liberty to the respondents to examine the matter and grant the benefit to the applicant if found entitled, subject to verification. If, upon verification, the applicant was found not

entitled to the benefit the respondents were directed to pass an appropriate order.

3. Today, the respondents have submitted that the applicant's claim has been duly examined and found untenable. In view of this, the present application is disposed of with a direction to the respondents to pass a speaking order clearly indicating the reasons for denying the benefit to the applicant. Upon receipt of such communication, if the applicant still remains aggrieved, he shall have the liberty to approach this Tribunal again or avail any other remedy permissible under law.

4. The respondents are directed to pass a speaking order within six weeks from the date of receipt of this order and communicate the same to the applicant.

5. Accordingly, The MA stands disposed of.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

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MA 3340/2024