

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

91.

MA 5319/2023 in OA 1177/2022

Ex L/Nk Brijender Singh Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Manoj Kumar Gupta, Advocate
For Respondents : Mr. Karan Singh Bhati, Sr. CGSC
AVM Updesh Sharma, VSM, ACAS (Accts RAV)
Air Cmde George John Mattam, JAG (Air),
Gp Capt S. Bindra and Gp. Capt. V. Sridhar

WITH

193.

MA 2941/2023 WITH MA 1255/2025, MA 1875/2025 AND
MA 2220/2025 IN OA 1281/2021

Sgt Mahesh Kumar (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Manoj Kumar Gupta, Advocate
For Respondents : Mr. Karan Singh Bhati, Sr. CGSC
Ms. Shivani with Mr. Rajeev Kumar,
Advocate
AVM Updesh Sharma, VSM, ACAS (Accts RAV)
Air Cmde George John Mattam, JAG (Air),
Gp Capt S. Bindra and Gp. Capt. V. Sridhar

WITH

194.

MA 3684/2023 IN OA 1815/2019

Ex JWO Nathuni Singh Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Durgesh Kumar Sharma, Advocate
For Respondents : Mr. Karan Singh Bhati, Sr. CGSC
Mr. K K Tyagi, Sr. CGSC
AVM Updesh Sharma, VSM, ACAS (Accts RAV)
Air Cmde George John Mattam, JAG (Air),
Gp Capt S. Bindra and Gp. Capt. V. Sridhar

WITH

195.

MA 3721/2023 IN OA 2083/2021

Ex WO (HFO) Rodrigues Rudolph Francis Applicant
Versus
Union of India & Ors. Respondents
For Applicant : Mr. Kritendra Tiwari, Advocate
For Respondents : Mr. Rajeev Kumar, Advocate

WITH

196.

MA 3960/2023 IN OA 111/2020

Ex Cfn P Subramanyam Applicant
Versus
Union of India & Ors. Respondents
For Applicant : Mr. Manoj Kr Gupta, Advocate
For Respondents : Ms. Barkha Babbar, Advocate

WITH

197.

MA 3978/2023 IN OA 1264/2021

Ex NC (E) U C Mishra Applicant
Versus
Union of India & Ors. Respondents
For Applicant : Mr. Praveen Kumar, Advocate
For Respondents : Mr. Jagdish Chandra, Advocate

WITH

198.

MA 4081/2023 IN OA 1357/2022

Sub Govind Singh (Retd) Applicant
Versus
Union of India & Ors. Respondents
For Applicant : Mr. Bikrama Sah, Advocate
For Respondents : Mr. Rajan Khosla, Advocate

WITH

199.

MA 4402/2023 IN OA 1722/2022

Ex Hav Krishan Kumar Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Naresh Ghai, Advocate
For Respondents : Mr. J S Yadav, Advocate

WITH

200.

MA 4835/2023 IN OA 1022/2021

Hav Sureshwar Prasad Yadav (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. U S Maurya, Advocate
For Respondents : Mr. Y P Singh, Advocate

WITH

201.

MA 945/2024 WITH MA 1476/2025 IN OA 865/2021

Lt Col Manvir Sharma (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. O S Punia, Advocate
For Respondents : Mr. Y P Singh, Advocate

WITH

202.

MA 1180/2024 WITH MA 1242/2025 IN OA 2371/2022

Brij Bihari Singh (Ex Nk (TS)) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Omprakash Kr Srivastava, Advocate
For Respondents : Mr. Arvind Patel, Advocate

WITH

203.

MA 1618/2024 WITH MA 1240/2025 IN OA 2661/2022

Bindu Chadha Applicant
widow of late Maj Sanjeev Chada
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Chaitanya Agarwal, Advocate
For Respondents : Mr. Sudhir Kumar, Advocate

WITH

204.

MA 1636/2024 IN OA 617/2023

Ex Nb Sub Sher Singh Airy Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Manmohan Singh Mehra, Advocate
For Respondents : Mr. K K Tyagi, Sr. CGSC

WITH

205.

MA 2600/2024 IN OA 284/2023

Ex Sep Kartar Singh Applicant
Versus
Union of India & Ors. Respondents

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

WITH

206.

MA 3283/2024 IN OA 523/2022

Brig Antaryami Pradhan (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. SS Pandey, Advocate
For Respondents : Mr. Arvind Patel, Advocate

WITH

207.

MA 3575/2024 IN OA 1776/2019

Ex POA(AH) Amit Kumar Yadav Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Ved Prakash, Advocate
For Respondents : Mr. Vijender Singh, Advocate

WITH

208.

MA 4197/2024 IN OA 2472/2022

Ex Nk Jagdish Chandra (DSC) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Ramniwas Bansal, Advocate
For Respondents : Mr. Arvind Kumar, Advocate

WITH

209.

MA 4242/2024 IN OA 646/2023

Ex Sub Ayyub Ali Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Ved Prakash, Advocate
For Respondents : Ms. Jyotsna Kaushik, Advocate

WITH

210.

MA 4884/2024 IN OA 987/2019

Brig Ganapathy Rajaram (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Ajay Yadav, Advocate
For Respondents : Mr. Satya Ranjan Swain, Advocate

WITH

211.

MA 379/2025 IN OA 1433/2018

Ex Nk Satya Narain Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Anuj Rathee, Advocate
For Respondents : Mr. Shyam Narayan, Advocate

WITH

212.

MA 421/2025 IN OA 1008/2023

Col Amita Jain (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. S S Pandey, Advocate
For Respondents : Mr. K.K Tyagi, Sr. CGSC
Mr. Karan Singh Bhati, Sr. CGSC,
Ms. Shivani with Mr. Rajeev Kumar,
Advocate
AVM Updesh Sharma, VSM, ACAS (Accts
RAV)
Air Cmde George John Mattam, JAG (Air),
Gp Capt S. Bindra and Gp. Capt. V. Sridhar
(For respondents in all the matters)

CORAM

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

ORDER
16.05.2025

MA No.2941/2023 with MA No.1255/25 in OA 1281/21
and Execution petitions in all above connected matters

These 21 cases have been listed today in the light of directions issued by us on 01.05.2025 based on the notices issued, on behalf of the Chief of the Army Staff, Maj. Gen. V.K. Purohit, AVSM, YSM, SM, ADV, DS, on behalf of Chief of Naval Staff, Rear Admiral Aditya Hara, ACOP (AC) and on behalf of Chief of the Air Staff, AVM Updesh Sharma, VSM, ACAC (Accts & AV) are present. As far as the office of the Defence Secretary is concerned, Sh. Rajesh Samplay, is present in person and has filed an affidavit in MA 1180/2024 in OA 2371/2022 which is available on record. On behalf of the Secretary, Department of Ex-Servicemen Welfare, Ministry of Defence, Shri K.K. Tyagi, learned counsel has filed an affidavit on 15.05.2025 in MA No.2220/2025 in MA No.2941/2023 in OA No.1281/2021 and all the said officers are participating in the process through virtual hearing.

2. Based on the material available on record and the delay caused in the 21 cases fixed today, with regard to implementation of various Orders passed by this Tribunal in exercise of its jurisdiction under Section 14 of the AFT Act, 2007, the issues were discussed in detail and deliberated upon in the presence of the

learned counsel for the parties and the officers who are present here.

3. Let a copy of the affidavits filed by the Defence Secretary and the Office of the Secretary DESW be served on each of the counsel appearing in the 21 cases and copies be also served on the representatives representing the Chief of the Army Staff, the Chief of the Naval Staff and the Chief of the Air Force for their perusal.

4. We further direct that in all these 21 cases, the orders passed by this Tribunal should be implemented before the next date and a compliance report with regard to their implementation be submitted before this Tribunal by the next date. However, while implementing the Order, in case the services feel that the delay in implementation is being caused on account of procedural formalities to be complied with by certain offices, they should indicate the office in which the procedure has to be complied with within atleast four weeks from today so that necessary action can be taken with regard to the said procedure to be followed and the order implemented before the next date.

5. As far as the general issue with regard to delay in implementation of the Tribunal's Orders are concerned, treating these cases to be the model cases, we direct the office of the Chiefs of the Army Staff, the Naval Staff and the Air Staff whose

representatives are present here to submit an affidavit with regard to the procedure to be followed for taking action once an Order is passed by this Tribunal for its implementation, various channels through which the files or the papers have to be moved till final implementation of the directions issued by this Tribunal, be it in the form of issuance of a PPO or any other order as may be required based on the facts of the case, the process to be followed when it is decided to challenge the Order passed by this Tribunal, the time line for challenging the order and different procedures to be followed for implementation should also be included in the affidavit to be filed by the respondents. Based on these affidavits to be filed and after evaluating the suggestions given, if any, by the counsel representing the parties, this tribunal proposes to lay down judicial order in the matter of implementation of Orders so that the same becomes the bench mark and the guidelines for implementation of the Order in future so that such cases do not pile up and waste the valuable time of this tribunal in the matter of dealing with execution applications.

6. For the present, the respondents are granted six weeks' time to comply with the Order and file the affidavits.

7. List the matters on 17.07.2025 at 2.15 pm. On the next date of hearing, personal appearance of the officers present today is exempted. However, they are authorised to nominate an officer

from their office who can participate in the proceedings so that if any instructions or directions are to be issued, the same can be issued to them.

8. That apart, we are informed that in certain cases attachment of properties and attachment of salary of officers has been issued in many of the execution applications by certain benches of this Tribunal. It is directed that till a final decision in the matters listed today is not taken, all process for attachment of property and attachment of salary shall be kept in abeyance and shall not be implemented.

9. The action to be taken in the matter of issuing contempt action based on the communication dated 04.11.2024, received from the office of Defence Secretary, shall not be given effect to and implemented till a final decision is not taken in these applications. Till appropriate orders are not passed in these proceedings, all actions in pursuance to the communication received from the Defence Secretary on 04.11.2024 shall be kept in abeyance in all cases.

MA No.2941/2023 in OA No.1281/2021

10. In compliance to the order passed in OA No.1281/2021, respondents have produced before us PPO No.601200900763 dated 13.05.2025 indicating compliance of the Order. The representative from the office of the PCDA(P), Prayagraj, Shri

Abhishek Trivedi is directed to ensure that all benefits accruing to the applicant by virtue of the PPO are credited to his account and benefits paid to him within four weeks from today.

11. Shri Manoj Gupta, learned counsel for the applicants is directed to seek instructions in the matter and indicate as to whether all benefits accruing to the applicant have been granted and provided to the applicant. We dispose of the matter with the compliance reported by the respondents. However, in case any benefit is still subsisting, Shri Manoj Gupta will have liberty to file a Misc. Application pointing out the same to this tribunal. The officer of the PCDA(P), Prayagraj present in the court is directed to take note of the same and ensure that the order is complied with. Office to serve a copy of this order and a copy of the PPO on the representative from the office of the PCDA(P).

12. MA No.2941/2023 stands disposed of.

MA No.1255/2025 in MA No.2941/2023

13. This captioned application has been filed by the office of the JCDA, Air Force seeking modification and recall of the order dated 01.04.2025 passed in the matter of attachment of his salary.

14. In view of the compliance reported by the respondents on account of disposal of MA No.2941/2023, the order passed with

regard to attachment of property/salary dated 01.04.2024 stands recalled and shall not be implemented.

15. All pending MAs also stand disposed of.

16. As the MA No.2941/2023 has been disposed off vide order of even date, the affidavit filed on behalf of Secretary, DESW, M/o Defence on 15.05.2025 in MA No.2220/2025 in MA No.2941/2023 in OA No.1281/2021 shall be kept in the records of MA No.1180/2024 in OA No.2371/2022.

17. Order **dasti** to all the three services as well their counsel.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

/vb/