

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

74.

MA 5580/2025 IN MA 226/2024 IN OA 687/2021

Ex WO Mani Lal Prasad ..... Applicant  
Versus  
Union of India & Ors. .... Respondents

For Applicant : Mr. Baljeet Singh, Advocate  
For Respondents : Mr. Prabodh Kumar, Sr. CGSC

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON  
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)

ORDER  
24.11.2025

MA 5580/2025

This application has been filed seeking exemption from personal appearance of Air Cmde Sanjiv Kumar Singh who is working in the post of Principal Director, DAV, Air Force.

2. Vide order passed on 29.10.2025, taking note of the fact that the orders passed by this Tribunal are not being implemented even after execution applications have been filed more than a year back, personal appearance of the officer was sought for.

3. Now, this MA has been filed seeking exemption from personal appearance of the Principal Director, DAV, Air Force on the ground that the Principal Director, DAV, Air Force is

only a pension dispersing authority and with regard to decision to be taken for implementation of the orders passed by the Armed Forces Tribunal and the Hon'ble High Court, it is Air Officer-in-Charge Administration in the Air HQ who has to take a decision in the matter of challenging the orders passed by this Tribunal and by the Hon'ble High Court before the Hon'ble High Court or the Hon'ble Supreme Court as the case may be.

4. It is, therefore, indicated in this application that the Principal Director, DAV, Air Force be exempted from personal appearance as he is not the authority to take a decision for implementation of the order or to challenge the order before the Hon'ble High Court or the Hon'ble Supreme Court as the case may be.

5. That apart, in the matter of implementation of the orders passed by this Tribunal particularly with regard to cases of Primary Hypertension to which this application relates to, we were adjourning the matter on account of pendency of SLP(C) No.30497/2025, Union of India Vs. Balbir Singh. However, we are informed that on 14.11.2025, the said SLP has been dismissed by the Hon'ble Supreme Court and in Para 3 and 4 of the aforesaid order, the



following directions have been issued by the Hon'ble Supreme Court:

*“3. In this view of the matter, the Special Leave Petition filed against the decision rendered in the case of Col. Balbir Singh (Retd.) is dismissed.*

*4. We make it clear that this decision will have no bearing on other cases. They will be may be considered on their own individual merits.”*

6. In the light of the aforesaid, now the Indian Air Force will have to challenge every order passed by this Tribunal and upheld by the Hon'ble Delhi High Court after dismissal of the Writ Petition, individually by filing SLPs and obtaining order. Merely, on the ground that in one of the cases, identical in nature, an SLP has been filed, it cannot be a ground for adjourning the matter. In this case, the order passed by this Tribunal, i.e., more than two years back, has not been implemented and now, even the Writ Petition filed by the respondents before the Hon'ble Delhi High Court has been dismissed.

7. That being so, the respondents now only have two options, either to implement the order passed by this Tribunal as directed by the Hon'ble Delhi High Court or to challenge the order before the Hon'ble Supreme Court within a reasonable period of time. The Writ Petition, as for our

information, is concerned, was dismissed in May, 2025, and till date even after dismissal of the Writ Petition, the order passed by the Hon'ble Delhi High Court has not been implemented. The Hon'ble Delhi High Court had granted four weeks' time to implement the order.

8. Taking note of all these circumstances and the fact that the Principal Director, DAV, Air Force, is not the Competent Authority to deal with in this matter and as his exemption from personal appearance on 26.11.2025 is concerned, the same is granted. However, now in the light of the subsequent development after dismissal of the SLP in the case of Balbir Singh (supra), respondents have to take a decision either to challenge the order individually before the Hon'ble Supreme Court and obtain appropriate injunction from the Hon'ble Supreme Court or implement the order conditionally, if they wish to do so.

9. Taking note of all these situations, even though we have granted exemption from personal appearance to the Principal Director, DAV, Air Force, in the execution application pending before this Tribunal which is coming up for hearing on 26.11.2025, we direct the respondents to either challenge the order passed by the Hon'ble Delhi High Court within four weeks or obtain injunction of the order from the Hon'ble

Supreme Court and in case they are unable to do so in every case where order has been passed by this Tribunal and where the Writ Petition filed by the Indian Air Force before the Hon'ble Delhi High Court has been dismissed, they should implement the order of the Hon'ble Delhi High Court by indicating that if any adverse order is passed by the Hon'ble Supreme Court, the applicant will have to refund the amount paid to him. They should either obtain injunction from the Hon'ble Supreme Court within a period of four weeks or ensure payment of amount to the applicant as directed hereinabove.

10. Therefore, as directed hereinabove, we direct that **MA 226/2024** which is listed on 26.11.2025 be now taken up for consideration on 12.01.2026 on which date either injunction should be obtained from the Hon'ble Supreme Court or in the absence of the same, the PPO should be provisionally issued and benefit conferred to the applicant. If neither of the two is done, we will call for personal appearance of the Air Officer-in-Charge Administration, Air HQ in the matter.


11. In view of the aforesaid, this application for exemption from personal appearance is allowed.

12. Accordingly, the MA stands disposed of.

MA 226/2024

13. In view of the aforesaid order passed in MA 5580/2025, list this matter for consideration on 12.01.2026.

14. A copy of this order be provided *'DASTI'* to learned counsel for the parties.

  
[JUSTICE RAJENDRA MENON]  
CHAIRPERSON

  
[RASIKA CHAUBE]  
MEMBER (A)

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MA 5580/2025