

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

54.

MA 399/2026 in OA 3073/2025

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

For Applicant : Mr. Sukhbir Singh, Advocate
For Respondents : Mr. Aseem Kumar Sahay, Advocate

CORAM

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

O R D E R
30.01.2026

MA 399/2026

Seeking execution of an order passed by this Tribunal in OA No. 3073/2025, this application has been filed. However, records indicate that as the OA was disposed of without notice to the respondents and without granting them any opportunity of hearing and as liberty was granted to them to pass appropriate order after verification, respondents have passed a speaking order on 29.11.2025 rejecting the claim of the applicant. Now in this execution application the applicant has challenged the speaking order. In our considered view, the same can not be considered in a proceeding under Section 29. The applicant is to challenge the said order afresh in accordance with law i.e., Section 4 of the Armed Forces Tribunal Act, 2007. Merely because in some execution applications which were pending for more than 02 months suo moto action was taken, the same cannot be made

applicable in this matter as well and, therefore, once the speaking order has been served on the applicant challenging the said order in an execution application, relief cannot be granted to the applicant. With the aforesaid liberty to the applicant, the MA stands disposed of.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

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