

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

12.

MA 2898/2019 with MA 5117/2023 in OA 535/2016

|                       |       |                               |
|-----------------------|-------|-------------------------------|
| Lt Col MS Bedi (Retd) | ..... | Applicant                     |
| Versus                |       |                               |
| Union of India & Ors. | ..... | Respondents                   |
| For Applicant         | :     | Mr. Indra Sen Singh, Advocate |
| For Respondents       | :     | Mr. Prabodh Kumar, Advocate   |

CORAM

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

O R D E R  
29.02.2024

MA 2898/2019

Though more than four years have passed, the respondents have not implemented the order passed by this Tribunal on 08.02.2019. This execution application is pending since 2019 and time and again opportunities were granted to the respondents to execute the order. During the last four hearings, we were informed that the respondents proposed to file a writ petition in the Hon'ble Delhi High Court and time was sought for implementing the order. Till date, nothing has been done and today when the matter is called for hearing, we are informed that a writ petition has been filed in the Hon'ble Delhi High Court and it has not been listed for hearing. Merely filing a writ petition and not getting it listed for hearing cannot be an excuse for not implementing an order passed by this Tribunal more than five years back. We are informed that even though the PCDA has to

implement the order, the MoD has to grant sanction and until and unless sanction is not granted, the order cannot be implemented. Taking note of the manner in which the respondents are dealing with issue, we propose to initiate contempt of court action against the respondents in accordance with law and therefore we direct the Defence Secretary to nominate an officer who is responsible for implementation of the order who shall be present before this Tribunal on 11.03.2024 with all details with regard to the execution of the order passed by this Tribunal, failing which, we shall proceed with the matter without granting any further time.

2. List the matter on **11.03.2024**.

3. A copy of this order be provided DASTI to learned counsel for both the parties.

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

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

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