

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2020
[DIARY NO.24364 OF 2019]

UNION OF INDIA & ANR.

PETITIONER(S)

VERSUS

MAJ. GEN.MMR NARANG AVSM (RETD.)

RESPONDENT(S)

O R D E R

Delay condoned.

Application for leave to appeal U/s 31(1) of the Armed Forces Tribunal Act, 2007 is allowed.

We are not inclined to interfere with the impugned judgment due to the retirement of the Respondent on attaining the age of superannuation on 31.01.1997. The only benefit he will derive from the Judgment is an increase in pensionary benefits.

The Civil Appeal is dismissed accordingly.

Question of law is kept open.

Any adverse remarks made by the Tribunal against the appellants are expunged.

In view of the above, pending application(s), if any, shall stand disposed of.

....., J.
(L. NAGESWARA RAO)

....., J.
(DEEPAK GUPTA)

NEW DELHI
FEBRUARY 05, 2020

ITEM NO.9

COURT NO.11

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL Diary No.24364/2019

(Arising out of impugned final judgment and order dated 16-08-2018 in TA No. 129/2013 passed by the Armed Forces Tribunal, Chandigarh, Regional Bench Chandimandir)

UNION OF INDIA & ANR.

Petitioner(s)

VERSUS

MAJ. GEN.MMR NARANG AVSM (RETD.)

Respondent(s)

(FOR ADMISSION and IA No.110147/2019-EX-PARTE STAY and IA No.110146/2019-CONDONATION OF DELAY IN FILING APPEAL and IA No.110144/2019-LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007)

Date : 05-02-2020 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Ms. Sonia Mathur, Sr. Adv.
Mr. Sushil Dubey, Adv.
Ms. Divya A. Nair, Adv.
Mr. Puneet Pathak, Adv.
Mr. Adit Khorana, Adv.
Mr. Manan Popli, Adv.
Mr. Baldev A., Adv.
Mr. Arvind Kumar Sharma, AOR

For Respondent(s) Mr. K. Parameshwar, AOR
Mr. M.V. Mukunda, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

Application for leave to appeal U/s 31(1) of the Armed Forces Tribunal Act, 2007 is allowed.

We are not inclined to interfere with the impugned judgment due to the retirement of the Respondent on attaining the age of superannuation on 31.01.1997. The only benefit he will derive from the Judgment is an increase in pensionary benefits.

The Civil Appeal is dismissed accordingly.

Question of law is kept open.

Any adverse remarks made by the Tribunal against the appellants are expunged.

In view of the above, pending application(s), if any, shall stand disposed of.

(RACHNA)
SENIOR PERSONAL ASSISTANT

(Signed order is placed on the file)

(ANAND PRAKASH)
BRANCH OFFICER