

ITEM NO.3                      Court 6 (Video Conferencing)                      SECTION XIV-A

**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**

**Miscellaneous Application No.325/2021 in C.A. No.1210/2020**

**(Arising out of impugned final judgment and order dated 17-02-2020 in C.A. No.1210/2020 passed by the Supreme Court of India)**

**LT. COL. (RETD.) PRIYAMVADA A MARDIKAR & ORS.                      Petitioner(s)**

**VERSUS**

**UNION OF INDIA THROUGH SECRETARY & ORS.                      Respondent(s)**

**(With appln.(s) for IA No.3094/2021-EXEMPTION FROM FILING AFFIDAVIT and IA No.3093/2021-CLARIFICATION/DIRECTION)**

**Date : 24-02-2021 These matters were called on for hearing today.**

**CORAM :**

**HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE M.R. SHAH**

**For Petitioner(s)      Mr. Sudhanshu S. Pandey, Adv.  
                                         Mr. Gaichangpou Gangmei, AOR**

**For Respondent(s)      Mr. R. Balasubramanian, Sr. Adv.  
                                         Ms. Neela Gokhale, Adv.  
                                         Mr. Arvind Kumar Sharma, Adv.**

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

- 1 The Miscellaneous Application is styled as one for "clarification/modification of the judgment dated 17 February 2020". It has been stated that one of the two applicants, namely, applicant No 1 has already been granted permanent commission, while applicant No 2 has been denied it. If the applicants have any grievance in regard to the implementation of the judgment, the remedy does not lie in the form of a miscellaneous application before this Court, but

by adopting suitable proceedings before the Armed Forces Tribunal, which the applicants are at liberty to pursue.

- 2 In the meantime, a request has been made by Mr Sudhanshu S Pandey, learned counsel appearing on behalf of the applicants that without the applicants being required to pursue another round of proceedings before the Armed Forces Tribunal, if the authorities were to look at the grievance, it could be sorted out.
- 3 Responding to the above request, Mr R Balasubramanian, learned senior counsel appearing on behalf of the Union of India has fairly stated that in the event the applicants submit a representation to the competent authority, it shall duly be considered subject to the parameters which have been fixed by this Court in its final judgment.
- 4 The Miscellaneous Application is accordingly disposed of.
- 5 Pending applications, if any, stand disposed of.

**(CHETAN KUMAR)**  
**A.R. -cum-P.S.**

**(SAROJ KUMARI GAUR)**  
**Court Master**