

ITEM NO.7

COURT NO.2

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. 37429/2022

(Arising out of impugned final judgment and order dated 07-12-2021 in OA No. 245/2016 passed by the Armed Forces Tribunal, Regional Bench, Kochi)

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

RC 128 L CAPTAIN M GOPALAN NAIR (RETD) & ORS.

Respondent(s)

(IA No.110182/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.110181/2023-EX-PARTE STAY and IA No.110179/2023-CONDONATION OF DELAY IN FILING APPEAL and IA No.110180/2023-CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS and IA No.110178/2023-LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007)

Date : 23-07-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE SANJAY KUMAR

For Petitioner(s)

Mr. R. Balasubramanian, Sr. Adv.
Mr. Mukesh Kumar Maroria, AOR
Mr. K. Parmeshwar, Adv.
Mr. Navanjay Mahapatra, Adv.
Ms. Sweksha, Adv.
Ms. Shivika Mehra, Adv.
Ms. Aarushi Singh, Adv.

For Respondent(s)

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

The impugned order passed by the Armed Forces Tribunal, Regional Bench, Kochi, on 07.12.2021, required the appellant(s) to take a decision on the pension payable to the regular Captains, noticing that there was an anomaly which required to be resolved

for implementation of One Rank One Pension¹ Scheme.

This Court has repeatedly adjourned to enable the appellant to take a decision.

In these circumstances, we are inclined to impose exemplary costs and also direct that the regular Captains will get pension enhanced by 20% from the date the OROP Scheme is applicable. However, as a last opportunity to enable the appellants to obtain instructions, re-list on 30.07.2024.

The matter will be shown in the first ten matters on the next date of listing.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

1 “OROP”, for short