

ITEM NO.2

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.

Appellant(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 : 30-07-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE R. MAHADEVAN

For Appellant(s)

Mrs. Aishwarya Bhati, A.S.G.
Mr. R Bala, Sr. Adv.(N/P)
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

Learned Additional Solicitor General appearing for the appellants again prays for time, as no decision has been taken with regard to the pension payable to the regular Captains on implementation of One Rank One Pension scheme. As recorded in the

order dated 23.07.2024, the impugned judgment passed by the Armed Forces Tribunal, Regional Bench, Kochi, is dated 07.12.2024.

Accordingly, we impose a cost of ₹2,00,000/- (Rupees two lakh only) on the appellants. The said cost will be deposited within a period of four weeks to the Armed Forces Flag Day Fund.

As prayed, we grant time till 14.11.2024 for the decision to be taken on anomalies/issues, which arises in the case of regular Captains. In case, the decision is not taken on or before the next date of hearing, appropriate interim orders with regard to enhancement of the pension, payable to the regular Captains may be passed in terms of our order dated 23.07.2024.

Re-list in the week commencing 25.11.2024.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR