



\$~30

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 12016/2024

COLONEL BK CHHIMWAL

.....Petitioner

Through: Mr.K.R.Verma, Adv.

versus

UNION OF INDIA & ORS.

.....Respondent

Through: Mr.Jivesh Kumar Tiwari, Adv with
Maj. Anish Muralidhar.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

%

30.08.2024

CM APPL. 49930/2024 –Ex.

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 12016/2024

3. The petitioner has approached this Court being aggrieved by the orders passed by the learned Armed Forces Tribunal in repeatedly adjourning his execution petition on the premise that the issue, which was decided in his favour by the Tribunal vide it's order dated 15.09.2022 passed in O.A. 918/2019 is pending consideration before this Court.
4. Having perused the orders passed by the Tribunal, we are of the view that since till date no writ petition challenging the Tribunal's order dated 15.09.2022 has been filed before this Court, the said order



continues to hold the field, it was incumbent upon the Tribunal to proceed with the execution proceedings as per law. In fact, we also find that the conditional sanction to implement the Tribunal's judgment dated 15.09.2022 was already issued by the Competent Authority on 03.08.2023 but still the order remains unimplemented.

5. In these circumstances, we find no reason to entertain the present petition and dispose of the same by requesting the learned Tribunal to expeditiously decide the execution application preferred by the petitioner.
6. The petition stands disposed of.

REKHA PALLI, J

SHALINDER KAUR, J

AUGUST 30, 2024
sr