

ITEM NO.2

COURT NO.1

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

I.A.NO. 1/2016 in Civil Appeal Diary No(s). 3744/2016

UNION OF INDIA AND ORS.

Appellant(s)

VERSUS

BALBIR SINGH TURN AND ANR.

Respondent(s)

(for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and office report)

Date : 10/02/2016 This application was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MRS. JUSTICE R. BANUMATHI

For Appellant(s)

Mr. Maninder Singh, ASG  
Mr. R. Balasubraanian, Adv.  
Mr. Prabhas Bajaj, Adv.  
Mr. Nalin Kohli, Adv.  
Mr. B. V. Balaram Das, Adv.

For Respondent(s)

1371

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

Mr. Maninder Singh learned Additional Solicitor General submits that the Tribunal has while allowing Original Application No.2147 of 2012 filed by the respondents relied upon the decision of High Court of Punjab and Haryana at Chandigarh in Jai Narayan Jakhar vs. Union of India & Anr. in CWP No.15400 of 2006 dated 14.01.2008 and the dismissal of the special leave petition filed in this Court against the said decision. He submits that the present case does not involve the question of admissibility of revised pay scales. The present case according to him involves question whether

the Modified Assured Career Progression Scheme would apply retrospectively on which question this Court has not so far delivered any judgment.

Issue notice on the applications for condonation of delay as also on the leave to appeal.

Pending further orders, the contempt proceedings if any initiated against the officers of the petitioners by the Tribunal shall remain stayed.

(Ashok Raj Singh)  
Court Master

(Veena Khera)  
Court Master