

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
IA 45-46/2012 in CIVIL APPEAL NO. 9367-9369 OF 2011

SECR., MINISTRY OF DEFENCE

Appellant (s)

VERSUS

BABITA PUNIYA & ANR.& ETC.

Respondent(s)

(for directions and office report )  
with  
I.A. Nos. 16-20 in C.A. Nos. 192-196 of 2012  
[for directions and office report)  
I.A. No. 2 in C.A. No. 5164 of 2012  
[for directions and office report)  
I.A. Nos. 9-12 in C.A. Nos. 79-82 of 2012  
[for directions and office report)

Date: 12/07/2013 These IAs were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA  
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Appellant(s) Mr. Paras Kuhad, ASG  
CA 9367-69 Mr. K. Radhakrishnan, Sr. Adv.  
Mr. Shanshank Bajpai, Adv.  
Mr. R. Balasubramanium, Adv.  
Mr. Vikas Malhotra, Adv.  
Ms. M. Sahu, Adv. for  
Mrs Anil Katiyar, Adv.

CA 192-196, 5164 Ms. Rekha Palli, Adv.

CA 79-82 Mr. Sridhar Potaraju, Adv.  
Mr. S.S. Pandey, Adv.  
Mr. Gaichangpou Gangmei, Adv.

For Respondent(s)  
CA 9367-9369 Mrs. Rekha Palli, Adv.  
CA 9367-9369 Ms. Meenakshi Lekhi, Adv.  
Mr. Jitendra Kumar Tripathi, Adv.  
Mr. Himanshu Shekhar, Adv.  
Mr. Harish Pandey, Adv

CA 192-196 Mr. Sridhar Potaraju, Adv.  
Mr. S.S. Pandey, Adv.  
Mr. Gaichangpou Gangmei, Adv.

CA 192-196, 5164 Mr. Paras Kuhad, ASG  
Mr. Shanshank Bajpai, Adv.  
Mr. R. Balasubramanium, Adv.  
Mrs Anil Katiyar, Adv.

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

I.A. Nos. 45-46/2012 in C.A. Nos. 9367-9369 of 2011:  
In light of the earlier order passed by this Court on  
February 20, 2013 in I.A Nos. 3-4 in C.A. Nos. 79-82 of 2012 - CDR.

A.U. Tayyaba & others vs. Union of India and others, Mr. Paras Kuhad, learned Additional Solicitor General submits that he has no objection if these applications are granted and release order dated 10.4.2012 (Annexure -I) in respect of applicant-Major Achla Singh is stayed. He, however, submits that as a result of the above (i.e. reinstatement), the benefit to applicant -Major Achla Singh (respondent No. 27 in Civil Appeals) may be made conditional upon her satisfying the criterion laid down by the appellant and subject to her suitability and fitness according to the existing policy. We order accordingly.

2. We record and accept the statement made by the learned Additional Solicitor General that the above exercise shall be completed within two months from today.

3. I.A. Nos. 45-46 of 2012 stand disposed of accordingly.

I.A. Nos. 16-20 of 2013 in C.A. Nos. 192-196 of 2012 and I.A No. 2 in C.A. No. 5164 of 2012:

Ms. Rekha Palli, learned counsel for the applicants-appellants prays for time for filing rejoinder-affidavit to the counter-affidavit filed on behalf of the respondents.

Same may be done within two weeks.

List I.A. Nos. 16-20 of 2013 and 2 of 2013 thereafter.

I.A. Nos 9-12 of 2013 IN C.A. Nos. 79-82 of 2012:

Mr. Paras Kuhad, learned Additional Solicitor General does not press these I.As.

I.A. Nos. 9-12 of 2013 are dismissed as withdrawn.

|(Pardeep Kumar)  
|Court Master

|(Renu Diwan)  
|Court Master

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