

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

Civil Appeal No 6378 of 2009

Union of India and Others

Appellants

Versus

Major (Mrs) Dimple Singla

Respondent

ORDER

- 1 While granting leave on 02 September 2009, this Court recorded the following statement on behalf of the appellants :

“Learned Additional Solicitor General submits that in the peculiar facts and circumstances of this case, the department accepts the proposition of this Court to reassemble the Court Martial and proceed with the trial of the respondent after giving reasons for overruling the special plea of jurisdiction. The learned Additional Solicitor General submitted that this shall not be treated as a precedent and this Court may decide the question of law while deciding the appeal. We order accordingly.”

- 2 Mr R Balasubramanian, learned senior counsel appearing on behalf of the appellants states that in view of the above position, the court martial was reconvened and the officer, after being tried, was initially cashiered and

subjected to a penalty of imprisonment. However, it has been stated that the sentence of imprisonment was not implemented.

3 In view of the subsequent developments which have taken place following the statement which was made by the Additional Solicitor General on 2 September 2009, the appeal has been rendered infructuous.

4 The question of law sought to be raised by the appellants in regard to the interpretation of the provisions of Rule 51 of the Army Rules is kept open to be urged in an appropriate case.

5 The appeal is disposed of.

6 Pending applications, if any, stand disposed of.

.....J.
[Dr Dhananjaya Y Chandrachud]

.....J.
[Bela M Trivedi]

New Delhi;
May 25, 2022
CKB

ITEM NO.102

COURT NO.2

SECTION IV

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 No.6378/2009

UNION OF INDIA & ORS.

Appellant(s)

VERSUS

MAJOR (MRS.) DIMPLE SINGLA

Respondent(s)

Date : 25-05-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Appellant(s)

Mr. R. Balasubramanian, Sr. Adv.
Ms. Neela Kedar Gokhale, Adv.
Mr. Sharath Nambiar, Adv.
Mr. B. Krishna Prasad, AOR

Mr. Arvind Kumar Sharma, AOR

For Respondent(s)

Mr. Yash Pal Dhingra, AOR

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

- 1 The appeal is disposed of in terms of the signed order.
- 2 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)

A.R.-cum-P.S.

(Signed order is placed on the file)

(SAROJ KUMARI GAUR)

Court Master