

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 418 OF 2012

UNION OF INDIA & ORS.

Appellant (s)

VERSUS

RAM AVTAR

Respondent(s)

(With appln(s) for condonation of delay in filing appeal,c/delay in re-filing appeal, stay and office report)

WITH

Civil Appeal NO. 419 of 2012

(With application for condonation of delay in filing appeal, stay and office report)

Civil Appeal NO. 421 of 2012

(With application for condonation of delay in filing appeal, stay and office report)

Civil Appeal NO. 420 of 2012

(With application for condonation of delay in filing appeal, stay and office report)

SLP(C) No.2288 of 2012

(With application for c/delay in filing SLP and office report)

Civil Appeal NO. 2258 of 2012

(With applications for impleadment, stay, c/delay in filing appeal, intervention and office report)

Civil Appeal NO. 2285 of 2012

(With application for condonation of delay in filing appeal, stay and office report)

Civil Appeal NO. 2284 of 2012

(With application for condonation of delay in filing and refiling appeal, stay and office report)

Civil Appeal NO. 2853 of 2012

(With application for condonation of delay in filing appeal, stay and office report)

Civil Appeal NO. 3500 of 2012

(With office report)

Civil Appeal NO. 3673 of 2012

(With application for stay and office report)

Civil Appeal NO. 4147 of 2012

(With office report)

Civil Appeal NO. 4214 of 2012

(With application for stay and office report)

Civil Appeal NO. 4583 of 2012

(With application for c/delay in filing appeal and office report)

Civil Appeal NO. 91 of 2013

(With application for c/delay in filing appeal and office report)

Civil Appeal NO. D35922 of 2012

(With application for leave to appeal under Section 31(1) of the Armed Forces Tribunal Act, 2007 and office report)

Civil Appeal NO. 7488 of 2012

(With application for stay and office report)

-2-

Civil Appeal NO. 2854 of 2012

(With office report)

Civil Appeal NO. 4107 of 2013

(With application for condonation of delay in filing appeal, stay and office report)

Civil Appeal D NO. D15757 of 2013

(With application for leave to appeal under Section 31(1) of the Armed Forces Tribunal Act, 2007 and office report)

Civil Appeal NO. D25108 of 2013

(With application for leave to appeal under Section 31(1) of the Armed Forces Tribunal Act, 2007, c/delay in filing appeal and office report)
 Civil Appeal NO. D25511 of 2013 (For Prel. Hearing)
 (With application for condonation of delay in filing appeal and office report)
 Civil Appeal No.D28652 of 2013
 (With application for condonation of delay in filing appeal and office report)
 Civil Appeal No.D28184 of 2013
 (With application for condonation of delay in filing appeal and office report)
 Civil Appeal No.28464 of 2013
 (With application for condonation of delay in filing appeal and office report)
 Civil Appeal No.D27870 of 2013
 (With application for leave to Appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)
 Civil Appeal No.D29727 of 2013
 (With application for condonation of delay in filing appeal)
 Civil Appeal No.D29728 of 2013
 (With application for condonation of delay in filing appeal)
 Civil Appeal No.D28879 of 2013
 (With application for leave to Appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)
 Civil Appeal No.D27849 of 2013
 (With application for leave to Appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)
 Civil Appeal No.7834 of 2013
 (With application for stay and office report)
 Civil Appeal No.7897 of 2013
 (With application for stay and office report)
 Civil Appeal No.D29807 of 2013
 (With application for leave to Appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)
 Civil Appeal No25220 of 2013
 (With application for c/delay in filing appeal)
 Civil Appeal No.D28291 of 2013
 (With application for c/delay in filing appeal)
 Civil Appeal No.D28544 of 2013
 (With application for c/delay in filing appeal)
 Civil Appeal D No.28980 of 2013
 (With application for leave to Appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)
 Civil Appeal No.9099 of 2013
 (With application for leave to Appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)

-3-

Civil Appeal No.D25494 of 2013
 (With application for c/delay ind filing appeal and office report)
 Civil Appeal No.D25495 of 2013
 (With application for c/delay ind filing appeal and office report)
 Civil Appeal No.D28290 of 2013
 (With application for c/delay ind filing appeal and office report)
 Civil appeal No.D29037 of 2013
 (With application for c/delay ind filing appeal and office report)
 Civil Appeal No.D28333/2013
 (With application for c/delay ind filing appeal and office report)
 Civil Appeal No.D30781 of 2013
 (With application for c/delay ind filing appeal and office report)
 Civil appeal No.D29188 of 2013
 (With application for c/delay ind filing appeal and office report)
 Civil Appeal No.D28881 of 2013
 (With application for leave to appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)
 Civil Appeal No.34610 of 2012
 (With application for leave to appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)

Civil Appeal No.D28332 of 2013
 (With application for c/delay in filing appeal and office report)
 Civil Appeal No.8936 of 2013
 (With application for leave to appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)
 Civil Appeal No.8937 of 2013
 (With application for leave to appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)
 Civil Appeal No.D27061 of 2013
 (With application for leave to appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)
 Civil Appeal No.D31371 of 2013
 (With application for c/delay in filing appeal)
 Civil Appeal No.D31370 of 2013
 (With application for c/delay in filing appeal and office report)
 Civil Appeal No.D27850 of 2013
 (With application for leave to appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)
 Civil Appeal No.5033 of 2012
 (With application for c/delay in filing appeal, stay and office report)
 Civil Appeal No.3565 of 2012
 (With application for c/delay in filing and re-filing the appeal, stay and office report)
 Civil Appeal No.D30837 of 2013
 (With application for c/delay in filing appeal and office report)

-4-

Civil Appeal No.10403 of 2013
 (With application for leave to appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)
 Civil Appeal No.10405 of 2013
 (With application for stay and office report)
 Civil Appeal No.10404 of 2013
 (With application for stay and office report)
 Civil Appeal No.10406 of 2013
 (With application for leave to appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)
 Civil Appeal No.10407 of 2013
 (With application for leave to appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)
 Civil Appeal No.10408 of 2013
 (With application for stay and office report)
 Civil Appeal No.D31367 of 2013
 (With application for leave to appeal U/S 31(1) of the Armed Forces Tribunal Act, 2007 and office report)
 Civil Appeal No.D30839 of 2013
 (With application for c/delay in filing appeal and office report)
 Civil Appeal No.D31813 of 2013
 (With application for c/delay in filing appeal and office report)
 Civil Appeal No.D36335 of 2013
 (With application for c/delay in filing appeal and office report)
 Civil Appeal No.D33695 of 2013
 (With application for c/delay in filing appeal and office report)
 Civil Appeal No.D36106 of 2013
 (With application for c/delay in filing appeal and office report)
 Civil Appeal No.D34643 of 2013
 (With application for c/delay in filing appeal and office report)
 Civil Appeal No.D34646 of 2013
 (With application for c/delay in filing appeal and office report)
 Civil Appeal No.D34621 of 2013
 (With application for c/delay in filing appeal and office report)
 Civil Appeal No.D35154 of 2013
 (With application for c/delay in filing appeal and office report)
 Civil Appeal No.D35158 of 2013
 (With application for c/delay in filing appeal and office report)
 Civil Appeal No.D36578 of 2013
 (With application for c/delay in filing appeal and office report)
 Civil Appeal No.D34958 of 2013
 (With application for c/delay in filing appeal and office report)

Civil Appeal No.D34997 of 2013
(With application for c/delay in filing appeal and office report)

-5-

Civil Appeal No.D36261 of 2013
(With application for c/delay in filing appeal and office report)
Civil Appeal No.19 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 20 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No.21 of 2014
(With application for c/delay in filing appeal, c/delay in refiling appeal and office report)
Civil Appeal No. 22 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 23 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 24 of 2014
(With application for leave to appeal u/s 31(1) of the Armed Forces Tribunal Act, 2007 office report)
Civil Appeal No.25 of 2014
(With application for c/delay in filing appeal, c/delay in refiling appeal and office report)
Civil Appeal No. 27 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 28 of 2014
(With application for leave to appeal u/s 31(1) of the Armed Forces Tribunal Act, 2007 office report)
Civil Appeal No. 29 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 30 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 31 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 32 of 2014
(With application for c/delay in filing appeal, c/delay in refiling appeal and office report)
Civil Appeal No. 33 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 34 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 35 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 36 of 2014
(With application for leave to appeal u/s 31(1) of the Armed Forces Tribunal Act, 2007 office report)
Civil Appeal No. 37 of 2014
(With application for c/delay in filing appeal and office report)

-6-

Civil Appeal No. 38 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 39 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 40 of 2014
(With application for leave to appeal u/s 31(1) of the Armed Forces Tribunal Act, 2007 office report)
Civil Appeal No. 41 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 42 of 2014
(With application for leave to appeal u/s 31(1) of the Armed Forces Tribunal Act, 2007 office report)
Civil Appeal No. 43 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 44 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 45 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No. 46 of 2014

(With application for c/delay in filing appeal and office report)
Civil Appeal No. 47 of 2014
(With application for c/delay in filing appeal and office report)
Civil Appeal No.805 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.806 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and condonation of delay in filing appeal and office report)
Civil Appeal No.807 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.808 of 2014
(With appln.(s) for condonation of delay in filing appeal and c/delay in re-filing appeal and office report)
Civil Appeal No.809 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.818 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.822 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.825 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and office report)
Civil Appeal No.824 of 2014
(With appln.(s) for condonation of delay in filing appeal and condonation of delay in filing appeal and office report)

-7-

Civil Appeal No.819 of 2014
(With appln.(s) for condonation of delay in filing appeal and c/delay in re-filing appeal and office report)
Civil Appeal No.820 of 2014
(With appln.(s) for condonation of delay in filing appeal and c/delay in re-filing appeal and office report)
Civil Appeal No.829 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.826 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and office report)
Civil Appeal No.830 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and office report)
Civil Appeal No.828 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.827 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.831 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.833 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.832 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.821 of 2014
(With appln.(s) for condonation of delay in filing appeal and c/delay in re-filing appeal and office report)
Civil Appeal No.911 of 2014
(With appln.(s) for condonation of delay in filing appeal and

office report)
Civil Appeal No.912 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.913 of 2014
(With appln.(s) for condonation of delay in filing appeal and c/delay in re-filing appeal and office report)
Civil Appeal No.914 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.915 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.916 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and office report)
Civil Appeal No.917 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)

-8-

Civil Appeal No.918 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.919 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.920 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.921 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.922 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.923 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.924 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.925 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and office report)
Civil Appeal No.926 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.927 of 2014
(With appln.(s) for condonation of listing delay in filing appeal and office report)
Civil Appeal No.928 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.929 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.930 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.931 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.932 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.933 of 2014

(With office report)
Civil Appeal No.938 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.934 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.935 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)

-9-

Civil Appeal No.936 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.937 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and office report)
Civil Appeal No.939 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.940 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and office report)
Civil Appeal No.876 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and condonation of delay in filing appeal and office report)
Civil Appeal No.1881 of 2014
(With appln.(s) for condonation of delay in filing appeal and c/delay in re-filing appeal and office report)
Civil Appeal No.1882 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1883 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1884 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1885 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1886 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1887 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1888 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1889 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1890 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1891 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1892 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1893 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and office report)

Civil Appeal No.1894 of 2014
(With appln.(s) for condonation of delay in filing appeal and c/delay in re-filing appeal and office report)
Civil Appeal No.1895 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1896 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1897 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1898 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and office report)
Civil Appeal No.1899 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and office report)
Civil Appeal No.1900 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1901 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1902 of 2014
(With appln.(s) for condonation of delay in filing appeal and c/delay in re-filing appeal and office report)
Civil Appeal No.1903 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1904 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1905 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1906 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1907 of 2014
(With appln.(s) for condonation of delay in filing appeal and c/delay in re-filing appeal and office report)
Civil Appeal No.1908 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and c/delay in filing petition of appeal and office report)
Civil Appeal No.1909 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)
Civil Appeal No.1910 of 2014
(With appln.(s) for condonation of delay in filing appeal and c/delay in re-filing appeal and office report)
Civil Appeal No.1911 of 2014
(With appln.(s) for condonation of delay in filing appeal and office report)

Civil Appeal No.1912 of 2014
(With appln.(s) for condonation of delay in filing appeal and c/delay in re-filing appeal and office report)
Civil Appeal No.1919 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed forces tribunal act, 2007 and office report)
Civil Appeal No.2766 of 2014
(With office report)

Civil Appeal No.2779 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed
forces tribunal act, 2007 and office report)
Civil Appeal No.2783 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed
forces tribunal act, 2007 and office report)
Civil Appeal No.2775 of 2014
(With office report)
Civil Appeal No.2785 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed
forces tribunal act, 2007 and office report)
Civil Appeal No.2772 of 2014
(With office report)
Civil Appeal No.2784 of 2014
(With office report)
Civil Appeal No.2773 of 2014
(With appln.(s) for permission to file appeal and office report)
Civil Appeal No.2768 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed
forces tribunal act, 2007 and office report)
Civil Appeal No.2770 of 2014
(With office report)
Civil Appeal No.2776 of 2014
(With office report)
Civil Appeal No.2774 of 2014
(With office report)
Civil Appeal No.2778 of 2014
(With office report)
Civil Appeal No.2777 of 2014
(With office report)
Civil Appeal No.2769 of 2014
(With office report)
Civil Appeal No.2781 of 2014
(With office report)
Civil Appeal No.2767 of 2014
(With office report)
Civil Appeal No.2771 of 2014
(With office report)
Civil Appeal No.2786 of 2014
(With appln.(s) for leave to appeal u/s 31(1) of the armed
forces tribunal act, 2007 and office report)
Civil Appeal No.2780 of 2014
(With office report)

Date: 25/03/2014 These appeals were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE GYAN SUDHA MISRA
HON'BLE MR. JUSTICE V. GOPALA GOWDA

-12-

For Appellant(s) Mr. Paras Kuhad, ASG

Mr. Vijay Prakash, Adv.
Mr. R. Balasubramaniam, Adv.
Ms. Kiran Bhardwaj, Adv.
Mr. V.K. Biju, Adv.
Ms. Vijay Lakshmi, Adv.
Mr. B.V. Balram Das, Adv.

Mr. P.C. Agarwal, Sr. Adv.
Mr. Ambuj Agarwal, Adv.
For Mr. B.V. Balaram Das, Adv.

For Respondent(s) Mr. Ravindra Keshavrao Adsure, Adv.

Mr. Vineet Bhagat, Adv.

Dr. Kailash Chand, Adv.

Mr. Avijit Bhattacharjee, Adv.

Mr. R.C. Kaushik, Adv.

Mr. Jawahar Narang, Adv.

For Mr. Atul Kumar, Adv.

Mr. Devendra Singh, Adv.

Mr. Anil Kumar Bakshi, Adv.

Mr. Gian Chand, In-Person

Ms. Aishwarya Bhati, Adv.

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

Let these appeals be listed on a hearing day.

|(Neetu Khajuria)

|(S.S.R. Krishna)

|
|Sr.P.A.

|Assistant Registrar

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