

ITEM NO.45

COURT NO.2

SECTION XVII

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). 1994/2023

UNION OF INDIA & ORS.

Appellant(s)

VERSUS

MAJ GEN JOHN J MATHEWS & ANR.

Respondent(s)

[FOR FINAL DISPOSAL]

IA No. 168959/2023 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 189836/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 241033/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 168957/2023 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 189835/2022 - STAY APPLICATION

Date : 10-09-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Appellant(s) : Mr. R. Venkataramani, Attorney General for India
Ms. Aishwarya Bhati, A.S.G.
Mr. Shreekant Neelappa Terdal, AOR
Mr. Rajan Kumar Chourasia, Adv.
Ms. Apoorv Kurup, Adv.
Ms. Chitrangda Rasatavara, Adv.
Mr. Kartikay Aggarwal, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Raman Yadav, Adv.
Ms. Ameyavikrama Thanvi, Adv.

For Respondent(s) : Mr. Aadil Singh Boparai, Adv.
Mr. Ronit Bose, Adv.
Ms. Srishti Khanna, Adv.
Mr. Nikunj Bindal, Adv.
Mr. Amarjeet Singh, AOR

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

Admit.

Learned Attorney General of India appearing for the appellant(s), upon instructions from the instructing counsel as also the officer present in the Court, states that the gratuity which was being paid to the respondent(s) post-retirement, and which has recently been stopped, shall be forthwith restored. Any arrears thereof shall be paid within a period of one month from today and the payment of the amount admissible to the respondent(s) under the head of gratuity, including all other post-retirement benefits, shall continue to be made regularly.

Considering the submissions advanced, we are inclined to stay sub-paragraph (b) of paragraph 75 of the directions contained in the impugned judgment of the Armed Forces Tribunal dated 07.09.2022, which is reproduced hereunder:-

"(b) Respondents are directed to investigate the mala fide in recording of the CoI, the involvement of Lt Col Himal Sisodia and others if any, in the procurement of SRE and take action as deemed necessary."

We make it clear that the prayer seeking stay of sub-paragraph (a) of the paragraph 75 of the impugned order is declined.

(SHIPRA NARANG)
SENIOR PERSONAL ASSISTANT

(RANJANA SHAILEY)
ASSISTANT REGISTRAR