

ARMED FORCES TRIBUNAL, PRINCIPAL BENCH
WEST BLOCK-8, SECTOR-1, R.K. PURAM, NEW DELHI
[Tele : 011-26105366, Email: aftdelhi@rediffmail.com]

OA 1487/2018 & CONNECTED MATTERS

JWO SK Sahay etc. etc.

...Applicant

Versus

Union of India & Others

...Respondent(s)

To

1. Mr Ajit Kakkar (Counsel for the Applicant)
2. Ms Archana Ramesh (Counsel for the Applicant/Respondents)
3. Mr VS Kadian (Counsel for the Applicant)
4. Ms Neela Gokhale (Counsel for the Applicant)
5. Mr Ankur Chhibber (Counsel for the Applicant)
6. Mr SS Pandey (Counsel for the Applicant)
7. Mr Shantanu Jain (Counsel for the Applicant)
8. Lt Col Saurabh Dutt (Applicant-in-Person)
9. Mr Bijendra Kumar Pathak (Counsel for the Applicant)
10. Mr Ram Niwas Bansal (Counsel for the Applicant)
11. Mr Abhishek R Shukla (Counsel for the Applicant)
12. Mr Indra Sen Singh (Counsel for the Applicant)
13. Mr Gaurav Yadav (Counsel for Respondents)
14. Mr Anand Kumar (Counsel for Respondents)
15. Mr Bipin Bihari (Counsel for Respondents)
16. Mr Satya Saharawat (Counsel for Respondents)
17. Mr Virat Tripathi (Counsel for Respondents)
18. Mr Dhruv Dwivedi (Counsel for Respondents)
19. Mr Chandrashekhar A.C. (Counsel for Respondents)
20. Mr Karan Mathur ((Counsel for Respondents)
21. Dr VS Mahndiyani (Counsel for Respondents)
22. Ms. Jyotsna Kaushik (Counsel for Respondents)
23. Gp Capt Karan Singh Bhati, Sr CGSC (Counsel for Respondents)
24. Mr Harish v Shankar (Counsel for Respondents)



Cont'd...2/-

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| 25. | Mr Wazi Ali Noor | (Counsel for Respondents) |
| 26. | Mr SR Swain | (Counsel for Respondents) |
| 27. | Mr Arvind Patel | (Counsel for Respondents) |
| 28. | Mr Prabodh Kumar | (Counsel for Respondents) |
| 29. | Ms Barkha Babbar | (Counsel for Respondents) |
| 30. | Ms Shweta Yadav | (Counsel for Respondents) |

NOTICE

WHEREAS, the above-mentioned matter along with other connected matters were listed before the Larger Bench on **14.09.2022**, when the Hon'ble Court, inter alia, directed the parties to submit in writing their observations with regard to objections and/or errors in the order of Reference within one week under the signatures of the counsel without any affidavit.

AND WHEREAS, no observations were received from the learned counsel except one, the matter was placed before the Hon'ble Chairperson. His Lordship has once again directed to seek comments of the learned counsel within **06 weeks**.

THEREFORE, NOTICE is hereby given to you to file your comments/observations with regard to objections and/or errors in the order of Reference within **06 weeks** under the signatures of the counsel without any affidavit.

A copy of order dated 14.09.2022, passed in the above-mentioned matter is enclosed herewith for necessary compliance.

Issued under my hand and the seal of the Tribunal dated this the 24th day of May, 2023.



(ON Mishra)
Deputy Registrar (I/c)

Encl : As above

Copy to :

1. OIC Legal Cell (Army/Navy/Air Force)
2. Notice Board

COURT No.1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

1.
OA 1487/2018

JWO S K Sahay Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ajit Kakkar, Advocate with
Mr. N.K. Kohli, Advocate
For Respondents : Dr. V. S. Mahndiyan, Advocate for R 1-4
None for R-5

WITH

2.
OA 1880/2018

NC(E) Deepak Kumar Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ajit Kakkar, Advocate
For Respondents : None for R 1-4
None for R-5

WITH

3.
OA 1983/2018

Maj Surajinder Singh Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Ms. Archana Ramesh, Advocate
For Respondents : Dr. V. S. Mahndiyan, Advocate for R 1-3
None for R-4

WITH

4.
OA 1641/2018

Lt Col Jitendra Rawat Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ajit Kakkar, Advocate
For Respondents : Ms. Jyotsna Kaushik, Advocate
for R 1-3 and 5
None for R-4

WITH

5.
OA 1181/2019

Cpl Pankaj Motton Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ajit Kakkar, Advocate
For Respondents : Dr. V.S. Mahndiyan, Advocate for R 1-4

WITH

6.
OA 2036/2019 WITH MA 2942/2019

Major Vipin Nath Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ajit Kakkar, Advocate
For Respondents : Gp Capt Karan Singh Bhati, Sr. CGSC
for R 1-3
Mr. Anand Kumar, Advocate for R-4

WITH

7.
OA 2426/2019 WITH MA 2778/2021,
MA 1601/2022 AND 1602/2022

Maj Ashish Tiwari Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ajit Kakkar, Advocate
For Respondents : Dr. V.S. Mahndiyan, Advocate for R 1-3
None for R-4

WITH

8.

OA 897/2019 WITH MA 529/2021

Gp Capt Pawan Nagpal Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. V.S. Kadian, Advocate NP
For Respondents : Mr. Harish V Shankar, Advocate
For R 1-3 and 5
None for R-4

WITH

9.

OA 1838/2020

Maj Siddharth Singh Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Ms. Neela Gokhale, Advocate
For Respondents : Mr. Waize Ali Noor, Advocate for R 1-5
None for R-6

WITH

10.

OA 1181/2020 WITH MA 1362/2020

CPL Manoj O Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ajit Kakkar, Advocate
For Respondents : Mr. S.R. Swain, Advocate for R 1-3
None for R-4

WITH

11.

OA 145/2021 WITH MA 622/2021

Sgt Mukesh Kumar Singh Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ankur Chhibber, Advocate
For Respondents : Dr. V.S. Mahndiyan, Advocate for R 1-4
Mr. Bipin Bihari, Advocate for R-5

WITH

12.

OA 1288/2020 WITH MA 1538/2020

SQN LDR Sudip Kumar Dutta Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. S.S. Pandey, Advocate
For Respondents : Mr. S.R. Swain, Advocate for R 1-3
None for R-4

WITH

13.

OA 765/2021 WITH MA 455/2022

Cpl Hemanshu Nath Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Shaantanu Jain, Advocate NP
For Respondents : Dr. V.S. Mahndiyan, Advocate for R 1-4
Mr. Parth Davar, Advocate for
Mr. Karan Mathur, Advocate for R-5

WITH

14.

OA 973/2020

Cpl C Sreejesh Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ajit Kakkar, Advocate
For Respondents : None for RR 1-3
None for R-4

WITH

15.
OA 1544/2020 WITH MA 1790/2020
AND MA 634/2021

Lt Col Girish Shyam Dewasthaly Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ankur Chhibber, Advocate
For Respondents : Mr. Waize Ali Noor, Advocate
for R 1-5 and 7
None for R-6

WITH

16.
OA 1869/2020
(OA 19/2019 (RB, Guwahati))

Lt Col Saurabh Dutt Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : In Person NP
For Respondents : Dr. V.S. Mahndiyan, Advocate

WITH

17.
OA 853/2021 WITH MA 360/2022

Hav Mahesh Kumar Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. V.S. Kadian, Advocate NP
For Respondents : Mr. Arvind Patel, Advocate for R 1-5
None for R-6

WITH

18.
OA 1306/2021 WITH MA 565/2022 AND 2050/2022

SGT Hemant Kumar Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Bijendra Kumar Pathak, Advocate
For Respondents : Dr. V.S. Mahndiyan, Advocate for R 1-5
Mr. Gaurav Yadav, Advocate for R-6 NP
None for R-7

WITH

19.

OA 1352/2021

Sgt Kuldeep Singh Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. V.S. Kadian, Advocate NP
For Respondents : Mr. S.R. Swain, Advocate for R 1-4
Ms. Archana Ramesh, Advocate for R-5

WITH

20.

OA 1504/2021 WITH MA 1424/2021 AND MA 247/2022
AND MA 2319/2022

Wg Cdr Balraj Singh Longia Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ramniwas Bansal, Advocate
For Respondents : Mr. Prabodh Kumar, Advocate for R 1-5
Ms. Archana Ramesh, Advocate
for R-6 and 7

WITH

21.

OA 2016/2021 WITH MA 2087/2021, 2824/2021,
MA 1115/2022 AND 1177/2022

Cpl V K Vishwakarma Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ramniwas Bansal, Advocate
For Respondents : Ms. Barkha Babbar, Advocate for R 1-5
Ms. Shweta Yadav, Advocate with
Ms. Shweta Yadav, Advocate
for R-6 and 7

WITH

22.

OA 324/2020

Nb Sub/Clk Khasim Baig Basha Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Abhishek R Shukla, Advocate
For Respondents : Mr. Waize Ali Noor, Advocate for R 1-4
Mr. Dhruv Dwivedi, Advocate for R-5
NF

WITH

23.

OA 416/2021 WITH MA 106/2022

Lt Cdr Vinay Dubey Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. I.S. Singh, Advocate
For Respondents : Mr. H.V. Shankar, Advocate for R 1-4
Mr. Chandrashekhkar A.C, Advocate
for R-5

WITH

24.

OA 1139/2021

Sgt Gagandeep Singh Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ajit Kakkar, Advocate
For Respondents : Gp Capt Karan Singh Bhati, Sr. CGSC
for R 1-3

WITH

25.
OA 1942/2020

Cpl Nithin Kumar TU Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ajit Kakkar, Advocate
For Respondents : Mr. S.R. Swain, Advocate for R 1-3
Mr. Satya Saharawat, Advocate for R-4

WITH

26.
OA 295/2021

Cpl Anil Kumar Essa Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ajit Kakkar, Advocate
For Respondents : Dr. V.S. Mahndiyan, Advocate for R 1-3
None for R-4

WITH

27.
OA 689/2020

Sqn Ldr Abhishek Pratap Singh Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. S.S. Pandey, Advocate
For Respondents : Mr. Prabodh Kumar, Advocate for R 1-3
Mr. Viraat Tripathi, Advocate for R-4 NP

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE MS. JUSTICE ANJANA MISHRA, MEMBER (J)
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER
14.09.2022

Due to certain submissions made by learned counsel for
the applicant, at the very outset of hearing of the matter, we

proposed to discuss the matter in Chamber and thereafter hear the matters.

Sd/-
(RAJENDRA MENON)
CHAIRPERSON

Sd/-
(ANJANA MISHRA)
MEMBER (J)

Sd/-
(P.M. HARIZ)
MEMBER (A)

After the aforesaid order was passed in open Court, the matter was discussed by us in Chamber.

We have gone through the order of Reference dated 26th February, 2020 and considered the submissions made by Mr. N.K. Kohli, learned counsel for the applicant, with regard to certain errors in the order of Reference and the possible necessity of recasting the Reference and the questions referred for consideration by the Full Bench.

We direct the parties to submit in writing their observations with regard to objections and/or errors in the order of Reference. This be done within one week under the signatures of the counsel without any affidavit and after the same is received, office is directed to place the matter before us along with the submissions received for consideration after four weeks.

Let a copy of this order be provided DASTI to learned
counsel for the parties.

Sd/-
(RAJENDRA MENON)
CHAIRPERSON

Sd/-
(ANJANA MISHRA)
MEMBER (J)

Sd/-
(P.M. HARIZ)
MEMBER (A)

vks/Neha