

p Form No. 4
{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI

1. MISC. APPLICATION NO. 4 OF 2025
IN
TRANSFER APPLICATION NO. 1 OF 2023

Smt. Vunghoihching

.. Applicant

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. G. Khupchinpau, Ld. Counsel for the applicant and Mrs. Dipanjali Boara, Ld. Counsel for the respondents are present.</p> <p>In this matter, Registry has pointed out certain defects which relate to the number of WP (C) No.1137 of 2019 which shall be WP (C) No. 1137 of 2018. Same be apprised to the learned counsel for the applicant so that he can remove the defects.</p> <p>Departmental representative submits that GSL has been issued on 11.12.2024, copy of which has been produced for perusal. Copy of the same has also been provided to learned counsel for the applicant as per departmental representative. Now some documents are needed from the applicant before the PPO is issued. Time is being granted for the purpose.</p>

Let required documents be furnished within six weeks and PPO be issued without delay thereafter.

Matter be listed after eight weeks when the Bench reassembles next.

(Lt Gen C. P. Mohanty)
Member (A)

Amk/Kk

(Justice Shailendra Shukla)
Member (J)

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI

2. ORIGINAL APPLICATION (A) NO. 32 OF 2024

Sgt Mridul Kanti Sinha

.. Applicant

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. PK Roy Choudhury, Ld. Counsel for the applicant and Mr. PK Garodia, Ld. Counsel for the respondents are present.</p> <p>Further time for filing reply has been sought by the respondents.</p> <p>Considered. Reply be filed within three weeks. Rejoinder be filed thereafter. The whole process must be completed within eight weeks.</p> <p>Matter be listed after eight weeks when the Bench reassembles next.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p>(Lt Gen C. P. Mohanty) Member (A) <i>Amk/Kk</i></p> </div> <div style="text-align: center;"> <p>(Justice Shailendra Shukla) Member (J)</p> </div> </div>

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3. ORIGINAL APPLICATION NO. 33 OF 2024

Brigadier Laiphrakpam Ibotombi Singh
Yudh Seva Medal (Retd)

.. Applicant

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. Vipin Kumar, Ld. Counsel for the applicant and Mr. PJ Barman, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the respondents has sought further time to file reply.</p> <p>Let reply be filed positively within four weeks. Rejoinder, if any, be filed thereafter within further four weeks.</p> <p>Matter be listed after eight weeks when the Bench reassembles next.</p> <p>Copy of this order be issued "<i>Dasti</i>" to the respondents as prayed.</p> <p style="text-align: center;"> (Lt Gen C. P. Mohanty) Member (A) <i>Amk/Kk</i> </p> <p style="text-align: center;"> (Justice Shailendra Shukla) Member (J) </p>

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4. ORIGINAL APPLICATION NO. 11 OF 2024

Smt Priyanka Hazarika Nair

.. Applicant

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. Fahad Faridi, Ld. Counsel for the applicant and Mr. PK Garodia, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant submits that he needs to file rejoinder to the counter affidavit, copy of which he has been received yesterday only.</p> <p>Let rejoinder be filed within four weeks and sur-rejoinder, if any, be filed within further four weeks.</p> <p>Matter be listed after eight weeks when the Bench reassembles next.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div data-bbox="451 1977 826 2067" style="text-align: center;"> <p>(Lt Gen C. P. Mohanty) Member (A)</p> <p><i>Amk/Kk</i></p> </div> <div data-bbox="1074 1966 1505 2056" style="text-align: center;"> <p>(Justice Shailendra Shukla) Member (J)</p> </div> </div>

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5. ORIGINAL APPLICATION NO. 12 OF 2024

Ex Sep Lalneithang

.. Applicant

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. AR Tahbildar, Ld. Counsel for the applicant and Mrs. Dipanjali Bora, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant submits that he might file rejoinder.</p> <p>Considered. Same be filed within four weeks. Sur-rejoinder be filed within further four weeks in case rejoinder is filed.</p> <p>Respondents are directed to submit weight chart of the applicant co-ordinating with the height stipulated in the Army Instructions. This apart weight chart of applicant depicting weight two years prior to the onset of the disability be also produced.</p> <p>Matter be listed after eight weeks when the Bench reassembles next.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div data-bbox="403 1899 778 2018" style="text-align: center;"> <p>(Lt Gen C. P. Mohanty) Member (A) <i>Amk/Kk</i></p> </div> <div data-bbox="1034 1899 1473 1980" style="text-align: center;"> <p>(Justice Shailendra Shukla) Member (J)</p> </div> </div>

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6. ORIGINAL APPLICATION NO. 13 OF 2024

Naib Subedar (PA) Chittaranjan Kar

.. Applicant

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. AR Tahbildar, Ld. Counsel for the applicant and Mr. PJ Barman, Ld. Counsel for the respondents are present.</p> <p>In this matter, promotion order to the rank of Subedar has been issued w.e.f. 23.04.2024. The applicant in his relief clause has prayed for seniority w.e.f. 01.04.2024. However, it is submitted that specific vacancy has been created and the applicant has promoted on that date itself and, therefore, prayer for giving seniority from 01.04.2024 cannot be allowed.</p> <p>Learned counsel for the applicant has raised no objection pertaining to the same.</p> <p>The OA stands disposed of. The applicant shall, however, have liberty to raise any dispute in future, if he deems appropriate.</p> <p style="text-align: center;"> (Lt Gen C. P. Mohanty) Member (A) <i>Amk/Kk</i> </p> <p style="text-align: center;"> (Justice Shailendra Shukla) Member (J) </p>

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7. ORIGINAL APPLICATION NO. 2 OF 2023
WITH
MISC. APPLICATION NO. 1 OF 2023

Ex LD Melin Singpho
Versus
Union of India & Ors.

.. Applicant

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. Subrata Choudhury, Ld. Counsel for the applicant is present and M. P. Sharma, Ld Counsel for the respondents is absent.</p> <p>Learned counsel for the applicant submits that rejoinder shall be filed within a week.</p> <p>Considered. Same be filed within a week. Sur-rejoinder, if any, be filed within further four weeks.</p> <p>Matter be listed for final hearing after eight weeks when the Bench reassembles next.</p> <p style="text-align: center;"> (Lt Gen C. P. Mohanty) Member (A) <i>Amk/Kk</i> </p> <p style="text-align: center;"> (Justice Shailendra Shukla) Member (J) </p>

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8. ORIGINAL APPLICATION NO. 25 OF 2023

Shahanas Begum

.. Applicant

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, no one is present for the applicant. Mr. PK Garodia, Ld. Counsel for the respondents is present.</p> <p>In view of the fact that a similar matter is in seisin with larger bench, this matter stands adjourned further.</p> <p>Matter be listed after eight weeks when the Bench reassembles next.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p>(Lt Gen C. P. Mohanty) Member (A) <i>Amk/Kk</i></p> </div> <div style="text-align: center;"> <p>(Justice Shailendra Shukla) Member (J)</p> </div> </div>

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9. ORIGINAL APPLICATION NO. 40 OF 2022

Ex Rect Mukesh Sharma & Ors.

.. Applicants

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. R. K. Singh a/w. Mr. Hariom Gupta, Ld. Counsel for the applicant and Mr. PJ Barman, Ld. Counsel for the respondents are present.</p> <p>Departmental representative submits that despite many communications to District Collector, Lohit (Arunachal Pradesh), the documents have not been provided.</p> <p>Let letter be dispatched to District Collector, Lohit (Arunachal Pradesh) through Registry to comply with directions dated 03.10.2024, failing which he may be required to remain present before the Tribunal to show cause. The aforesaid letter be dispatched within three days.</p> <p>Matter be listed after eight weeks when the Bench reassembles next.</p> <p>Copy of this order be issued "<i>Dasti</i>" to the respondents as prayed.</p> <p style="text-align: center;"> (Lt Gen C. P. Mohanty) Member (A) <i>Amk/Kk</i> </p> <p style="text-align: center;"> (Justice Shailendra Shukla) Member (J) </p>

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10. ORIGINAL APPLICATION NO. 39 OF 2022

Ex Rect Mahid Hussain & Anr.

.. Applicants

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. R. K. Singh a/w. Mr. Hariom Gupta, Ld. Counsel for the applicant and Mr. PJ Barman, Ld. Counsel for the respondents are present.</p> <p>Departmental representative submits that despite many communications to District Collector, Lohit (Arunachal Pradesh), the documents have not been provided.</p> <p>Let letter be dispatched to District Collector, Lohit (Arunachal Pradesh) through Registry to comply with directions dated 03.10.2024, failing which he may be required to remain present before the Tribunal to show cause. The aforesaid letter be dispatched within three days.</p> <p>Matter be listed after eight weeks when the Bench reassembles next.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div data-bbox="416 1890 788 2007" style="text-align: center;"> <p>(Lt Gen C. P. Mohanty) Member (A) <i>Amk/Kk</i></p> </div> <div data-bbox="1034 1890 1466 1973" style="text-align: center;"> <p>(Justice Shailendra Shukla) Member (J)</p> </div> </div>

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11. ORIGINAL APPLICATION NO. 14 OF 2022

Rect/MT Chandee Kr Baitha

.. Applicants

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. R. K. Singh a/w Mr. Hariom Gupta, Ld. Counsel for the applicant and Mr. PJ Barman, Ld. Counsel for the respondents are present.</p> <p>Departmental representative submits that despite many communications to District Collector, Lohit (Arunachal Pradesh), the documents have not been provided.</p> <p>Let letter be dispatched to District Collector, Lohit (Arunachal Pradesh) through Registry to comply with directions dated 03.10.2024, failing which he may be required to remain present before the Tribunal to show cause. The aforesaid letter be dispatched within three days.</p> <p>Matter be listed after eight weeks when the Bench reassembles next.</p> <p style="text-align: center;"> (Lt Gen C. P. Mohanty) Member (A) <i>Amk/Kk</i> </p> <p style="text-align: center;"> (Justice Shailendra Shukla) Member (J) </p>

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12. ORIGINAL APPLICATION NO. 15 OF 2022

Rect Rohit Kr Yadav

.. Applicant

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. R. K. Singh a/w Mr. Hariom Gupta, Ld. Counsel for the applicant and Mr. PJ Barman, Ld. Counsel for the respondents are present.</p> <p>Departmental representative submits that despite many communications to District Collector, Lohit (Arunachal Pradesh), the documents have not been provided.</p> <p>Let letter be dispatched to District Collector, Lohit (Arunachal Pradesh) through Registry to comply with directions dated 03.10.2024, failing which he may be required to remain present before the Tribunal to show cause. The aforesaid letter be dispatched within three days.</p> <p>Matter be listed after eight weeks when the Bench reassembles next.</p> <p style="text-align: center;"> (Lt Gen C. P. Mohanty) Member (A) <i>Amk/Kk</i> </p> <p style="text-align: center;"> (Justice Shailendra Shukla) Member (J) </p>

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13. ORIGINAL APPLICATION NO. 16 OF 2022

Rect Vipin Yadav

.. Applicant

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. R. K. Singh a/w Mr. Hariom Gupta, Ld. Counsel for the applicant and Mr. PJ Barman, Ld. Counsel for the respondents are present.</p> <p>Departmental representative submits that despite many communications to District Collector, Lohit (Arunachal Pradesh), the documents have not been provided.</p> <p>Let letter be dispatched to District Collector, Lohit (Arunachal Pradesh) through Registry to comply with directions dated 03.10.2024, failing which he may be required to remain present before the Tribunal to show cause. The aforesaid letter be dispatched within three days.</p> <p>Matter be listed after eight weeks when the Bench reassembles next.</p> <p style="text-align: center;"> (Lt Gen C. P. Mohanty) Member (A) <i>Amk/Kk</i> </p> <p style="text-align: center;"> (Justice Shailendra Shukla) Member (J) </p>

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14. ORIGINAL APPLICATION NO. 17 OF 2022

Rect Mithilesh Kr Yadav

.. Applicant

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. R. K. Singh a/w Mr. Hariom Gupta, Ld. Counsel for the applicant is present and Mr. Pranjal Sharma, Ld. Counsel for the respondents is absent.</p> <p>Departmental representative submits that despite many communications to District Collector, Lohit (Arunachal Pradesh), the documents have not been provided.</p> <p>Let letter be dispatched to District Collector, Lohit (Arunachal Pradesh) through Registry to comply with directions dated 03.10.2024, failing which he may be required to remain present before the Tribunal to show cause. The aforesaid letter be dispatched within three days.</p> <p>Matter be listed after eight weeks when the Bench reassembles next.</p> <p style="text-align: center;"> (Lt Gen C. P. Mohanty) Member (A) <i>Amk/Kk</i> </p> <p style="text-align: center;"> (Justice Shailendra Shukla) Member (J) </p>

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ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI

15. ORIGINAL APPLICATION NO. 18 OF 2022

Rect/BR/MT Brijesh Kr Yadav

.. Applicant

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. R. K. Singh a/w Mr. Hariom Gupta, Ld. Counsel for the applicant is present and Mr. Pranjal Sharma, Ld. Counsel for the respondents is absent.</p> <p>Departmental representative submits that despite many communications to District Collector, Lohit (Arunachal Pradesh), the documents have not been provided.</p> <p>Let letter be dispatched to District Collector, Lohit (Arunachal Pradesh) through Registry to comply with directions dated 03.10.2024, failing which he may be required to remain present before the Tribunal to show cause. The aforesaid letter be dispatched within three days.</p> <p>Matter be listed after eight weeks when the Bench reassembles next.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div data-bbox="421 1883 798 2007" style="text-align: center;"> <p>(Lt Gen C. P. Mohanty) Member (A) <i>Amk/Kk</i></p> </div> <div data-bbox="1046 1883 1485 2007" style="text-align: center;"> <p>(Justice Shailendra Shukla) Member (J)</p> </div> </div>

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16. ORIGINAL APPLICATION NO. 19 OF 2022

Rect/Dvr/MT Rahul Singh Yadav

.. Applicant

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>21.02.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen C. P. Mohanty, Member (A)</u></p> <p>On the case being taken up for hearing, Mr. R. K. Singh a/w Mr. Hariom Gupta, Ld. Counsel for the applicant is present and Mr. Pranjal Sharma, Ld. Counsel for the respondents is absent.</p> <p>Departmental representative submits that despite many communications to District Collector, Lohit (Arunachal Pradesh), the documents have not been provided.</p> <p>Let letter be dispatched to District Collector, Lohit (Arunachal Pradesh) through Registry to comply with directions dated 03.10.2024, failing which he may be required to remain present before the Tribunal to show cause. The aforesaid letter be dispatched within three days.</p> <p>Matter be listed after eight weeks when the Bench reassembles next.</p> <p style="text-align: center;"> (Lt Gen C. P. Mohanty) Member (A) <i>Amk/Kk</i> </p> <p style="text-align: center;"> (Justice Shailendra Shukla) Member (J) </p>

Notes of the Registry	Orders of the Tribunal
	<p style="text-align: center;">ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI</p> <p style="text-align: center;"><u>17</u> <u>OA(A)-34/2024</u></p> <p>Subedar SKT Arvind Singh Applicant By legal practitioners for Applicant Amit Joshi</p> <p style="text-align: center;">-Versus-</p> <p>UOI & Ors Respondents By legal practitioner for Respondents P K Garodia, CGSC</p> <p><u>CORAM :</u> HON'BLE MR. JUSTICE SHAILENDRA SHUKLA, MEMBER (J) HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)</p> <p style="text-align: center;"><u>ORDER</u></p> <p><u>21.02.2025</u></p> <p>On the case being taken up for hearing, Mr. Amit Joshi, Ld. Counsel for the applicant and Mr. PK Garodia, Ld. Counsel for the respondent are present.</p> <p>Counter affidavit has not been filed by the respondents as per order dated 25.11.2024.Learned counsel submits same will be filed within one week with a copy to the applicant.</p> <p>Let rejoinder be filed within further 4 weeks thereafter.</p> <p>Matter be listed after eight weeks when this Bench re-assembles next.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>(Lt Gen C.P. Mohanty) Member (A)</p> <p>Mc/kk/gm</p> </div> <div style="width: 45%; text-align: right;"> <p>(Justice Shailendra Shukla) Member (J)</p> </div> </div>

ARMED FORCES TRIBUNAL,
REGIONAL BENCH, GUWAHATI

18

OA-11/2020

Hav/Opr Rishi Kesh Kumar

.....Applicant

By legal practitioners for Applicant

Vipin Kumar

Sachitra Bora

P Bora

-Versus-

UOI & Ors

..... Respondents

By legal practitioner for Respondents

P J Barman, CGSC

CORAM :HON'BLE MR. JUSTICE SHAILENDRA SHUKLA, MEMBER (J)
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)ORDER21.02.2025

On the case being taken up for hearing, Mr. Vipin Kumar, Ld. Counsel for the applicant and Mr. PJ Barman, Ld. Counsel for the respondents are present.

Learned counsel for the applicant seeks to file further documents in this matter.

Respondents are directed to submit the Confidential Report Dossier (CRD) of the applicant along with the Promotion Board resolution from the Artillery Records Officer.

Departmental officer submits that the Artillery Records Officer also needs to be coordinated for obtaining this record. Departmental officer needs to ensure that the record is collected from Artillery Records Officer and submitted before this Tribunal for perusal on next date.

Separate letter be discharged to the concerned authority by the Registry as well for facilitating the collection of the documents.

List the case for final hearing after eight weeks when this Bench re-assembles next.

Copy of this order be given dasti.

(Lt Gen C.P. Mohanty)
Member (A)(Justice Shailendra Shukla)
Member (J)

Mc/kk/gm

Notes of the Registry	Orders of the Tribunal
	<p style="text-align: center;">ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI</p> <p style="text-align: center;">19 <u>OA(A)-06/2022</u></p> <p>Ex-Rfn Anil Chandra Nath Applicant By legal practitioners for Applicant Vipin Kumar Sachitra Bora P Bora</p> <p>-Versus-</p> <p>UOI & Ors Respondents By legal practitioner for Respondents Dipanjali Bora, CGSC</p> <p>CORAM : HON'BLE MR. JUSTICE SHAILENDRA SHUKLA, MEMBER (J) HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)</p> <p style="text-align: center;"><u>ORDER</u></p> <p><u>21.02.2025</u></p> <p>On the case being taken up for hearing, Mr. Vipin Kumar, Ld. Counsel for the applicant and Smt Dipanjali Bora, Ld. Counsel for the respondents are present.</p> <p>Learned counsel for the applicant has sought more time. Moreover, it is found that original SCM proceedings are not placed on record.</p> <p>Learned standing counsel for Assam Rifles to facilitate for production of the original records on the next date.</p> <p>Matter be listed after eight weeks when this Bench re-assembles next.</p> <p>(Lt Gen C.P. Mohanty) Member (A) (Justice Shailendra Shukla) Member (J)</p> <p>Mc/kk/gm</p>

Notes of the Registry	Orders of the Tribunal
	<p style="text-align: center;">ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI</p> <p style="text-align: center;">20 <u>OA-07/2022</u></p> <p>Ex-Rfn Birendra Singh Applicant By legal practitioners for Applicant Vipin Kumar Sachitra Bora P Bora</p> <p>-Versus-</p> <p>UOI & Ors Respondents By legal practitioner for Respondents Dipanjali Bora, CGSC</p> <p>CORAM : HON'BLE MR. JUSTICE SHAILENDRA SHUKLA, MEMBER (J) HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)</p> <p style="text-align: right;"><u>ORDER</u></p> <p><u>21.02.2025</u></p> <p>On the case being taken up for hearing, Mr. Vipin Kumar, Ld. Counsel for the applicant and Smt Dipanjali Bora, Ld. Counsel for the respondents are present.</p> <p>In this matter, learned counsel for the respondents submits that she needs to file an application contesting the maintainability of the OA itself.</p> <p>Let such an application be filed within four weeks. However, the matter is being listed for final argument and issue of jurisdiction of this Tribunal shall be dealt with simultaneously.</p> <p>Matter be listed after eight weeks when this Bench re-assembles next.</p> <p>Lt Gen C.P. Mohanty) Member (A)</p> <p>(Justice Shailendra Shukla) Member (J)</p> <p>Mc/kk/gm</p>

Notes of the Registry	Orders of the Tribunal
	<p style="text-align: center;">ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI</p> <p style="text-align: center;">21 <u>OA-16/2024</u> With MA-14/2024</p> <p>Ex-Rect Khenzapao Mate Zou Applicant By legal practitioners for Applicant AR Tahbildar</p> <p>-Versus-</p> <p>UOI & Ors Respondents By legal practitioner for Respondents P K Garodia, CGSC</p> <p>CORAM : HON'BLE MR. JUSTICE SHAILENDRA SHUKLA, MEMBER (J) HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)</p> <p style="text-align: center;"><u>ORDER</u></p> <p><u>21.02.2025</u></p> <p>On the case being taken up for hearing, Mr. AR Tahbildar, Ld. Counsel for the applicant and Mr. PK Garodia, Ld. Counsel for the respondent are present.</p> <p>On perusal of the records, it is seen that the applicant served for six months. Learned counsel for the applicant is directed to furnish within four weeks all the citations or materials whether a person with less than one year service of military service is entitled for service element.</p> <p>During this time, Departmental Officer shall also ensure whether the applicant is entitled to service element or invalid pension.</p> <p>Matter be listed after eight weeks when this Bench re-assembles next.</p> <p>Copy of this order be given dasti.</p> <p>(Lt Gen C.P. Mohanty) Member (A)</p> <p>(Justice Shailendra Shukla) Member (J)</p> <p>Mc/kk/gm</p>

ARMED FORCES TRIBUNAL,
REGIONAL BENCH, GUWAHATI

22.

OA-26/2023

Ex.Hav Lil Bahadur Thapa

..Applicant

By legal practitioners for Applicant
Mr AR Tahbildar

-Versus-

UOI & Ors

..... Respondents

By legal practitioner for Respondents
PK Garodia, CGSCCORAM :HON'BLE MR. JUSTICE SHAILENDRA SHUKLA, MEMBER (J)
HON'BLE LT GEN C.P.MOHANTY, MEMBER (A)ORDER21.02.2025

Heard: Mr.A.R.Tahbildar, learned Counsel for the applicant
and Mr.P.K.Garodia, learned counsel for the respondents.

Learned Counsel for the applicant submits that in the
pleadings in the Counter Affidavit filed by the respondents, the applicant has
been shown to suffer from "Alcohol Dependency Syndrome" from July, 2015.
However, no such documents to that effect has been placed on record.

Learned Counsel for the respondents seeks permission to
produce the original records. Permission is granted.

Let the original records be produced before this Tribunal on
the next date fixed.

Further, the applicant has also prayed for constant
attendance allowance. The rules regarding the same be placed on record on
the next date.

Contd...2/-

Let a copy of this order be provided dasti to the departmental representative officer of the respondents, as prayed.

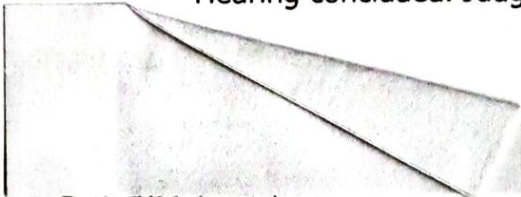

Let the matter be listed after 08 weeks when the Bench reassembles next.

(Lt Gen C.P.Mohanty)
Member (A)

(Justice Shailendra Shukla)
Member (J)

Mc/gm

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI
23.	<u>OA-14/2024</u> With MA- <u>13/2024</u>
Ex-Rect Lallian Chin	..Applicant By legal practitioners for Applicant Mr AR Tahbildar
-Versus-	
UOI & Ors Respondents By legal practitioner for Respondents PK Garodia, CGSC
	CORAM : HON`BLE MR. JUSTICE SHAILENDRA SHUKLA, MEMBER (J) HON`BLE LT GEN C.P.MOHANTY, MEMBER (A)
	<u>ORDER</u>
	<u>21.02.2025</u>
	Learned Counsel for the applicant seeks time to file rejoinder affidavit.
	Let rejoinder be filed within 04 weeks with copy to the Respondents and respondents may file sur-rejoinder, if required within 04 weeks thereafter.
	Let the matter be listed after 08 weeks when the Bench reassembles next.
(Lt Gen C.P.Mohanty) Member (A)	(Justice Shailendra Shukla) Member (J)
Mc/gm	

Notes of the Registry	Orders of the Tribunal
	<p style="text-align: center;">ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI</p> <p>24. <u>OA-01/2024</u> <u>With MA-01/2024</u></p> <p>Smt Shangla Mao ..Applicant By legal practitioners for Applicant Mr AR Tahbildar</p> <p>-Versus-</p> <p>UOI & Ors Respondents By legal practitioner for Respondents PK Garodia, CGSC</p> <p><u>CORAM :</u> HON'BLE MR. JUSTICE SHAILENDRA SHUKLA, MEMBER (J) HON'BLE LT GEN C.P.MOHANTY, MEMBER (A)</p> <p style="text-align: center;"><u>ORDER</u></p> <p><u>21.02.2025</u></p> <p style="text-align: center;">Heard Mr.A.R. Tahbildar, learned Counsel for the applicant and Mr.P.K.Garodia, learned CGSC appearing for the respondents.</p> <p style="text-align: center;">Hearing concluded. Judgment reserved.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;">  (Lt Gen C.P. Mohanty) Member (A) </div> <div style="text-align: center;">  (Justice Shailendra Shukla) Member (J) </div> </div> <p>Mc/gm</p>

Notes of the Registry	Orders of the Tribunal
	<p style="text-align: center;">ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI</p> <p>25. <u>OA-18/2023</u></p> <p>Lt Col RD Sharma Applicant By legal practitioners for Applicant Mr AR Tahbildar</p> <p>-Versus-</p> <p>UOI & Ors Respondents By legal practitioner for Respondents PJ Barman, CGSC</p> <p><u>CORAM :</u> HON'BLE MR. JUSTICE SHAILENDRA SHUKLA, MEMBER (J) HON'BLE LT GEN C.P.MOHANTY, MEMBER (A)</p> <p style="text-align: center;"><u>ORDER</u></p> <p><u>21.02.2025</u></p> <p>The matter was listed for hearing today.</p> <p>Hon'ble Member (Admin) seeks to recuse himself from this case as he has personal knowledge in the matter and it was reported to him when he was posted as Brigade Commander of the unit of the applicant when the incident occurred at Focolary Camp, Congo.</p> <p>In view of the aforesaid situation, Hon'ble Chairperson is requested to nominate one Member (Admin) for the purpose of hearing and disposal of the present case.</p> <p>Let a copy of this order be provided dasti to the official representative, as prayed.</p> <p>Let a copy of this order sheet along with a letter of request be dispatched to Principal Bench.</p> <p>(Lt Gen C.P.Mohanty) Member (A)</p> <p style="text-align: right;">(Justice Shailendra Shukla) Member (J)</p> <p>Mc/gm</p>

26.

**ARMED FORCES TRIBUNAL,
REGIONAL BENCH, GUWAHATI
OA-11/2023**

Ex-Hav Rajni Kanta Das

.. Applicant

By legal practitioners for Applicant

Dipamoni Kalita**Alakananda Chakraborty**

-Versus-

UOI & Ors

..... Respondents

By legal practitioner for Respondents

Dipanjali Bora, CGSC**CORAM :****HON'BLE MR. JUSTICE SHAILENDRA SHUKLA, MEMBER (J)****HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)****ORDER****21.02.2025**

No one appears for the applicant.

Learned Counsel for the respondents submits that the applicant has been recognized as a battle casualty case and the matter is pending at PCDA (A), Prayagraj at this moment. Following is the excerpts of the letter dated 20.2.2025 produced by the OIC legal cell :

"2. It is submitted that claim for grant of disability element of disability pension was processed to PCDA(P), Prayagraj has returned the claim (from Anil Kumar, AAO, PCDAP, SPARSH ID) to PAO (OR), Army AD duly stating " a certificate by the competent authority is required when the personnel were retained in service from 25 Oct 2001 to 31 Oct 2003 despite disability and retired voluntarily or otherwise will be allowed War Injury Element in addition to service pension. For grant of war injury element, a sanction issued by OIC records is requested."

We expect that the matter shall be finally sorted out by the concerned department and the PPO be produced before the Court by the next date fixed.

Contd..2/-

List the matter after 08 weeks whenever the Bench reassembles next.

(Lt Gen C.P.Mohanty)
Member (A)

(Justice Shailendra Shukla)
Member (J)

Mc/gm

ARMED FORCES TRIBUNAL,
REGIONAL BENCH, GUWAHATI

27.

OA-09/2023

Ex-Sep Leivon Kom

.....Applicant

By legal practitioners for Applicant
AR Tahbildar

-Versus-

UOI & Ors

..... Respondents

By legal practitioner for Respondents

Dipanjali Bora, CGSC

Subrata Dutta & Associates(appearing
For respondent No.6)CORAM :HON'BLE MR. JUSTICE SHAILENDRA SHUKLA, MEMBER (J)
HON'BLE LT GEN C.P.MOHANTY, MEMBER (A)ORDER21.02.2025

Despite the letter dispatched by PCDA to the Treasury Officer regarding resumption of service element in accordance with PPO, the Treasury Officer is not disbursing the amount and therefore, the onus lies with the Treasury Officer to do the needful.

The departmental representative officer submits a letter signed by the Treasury Officer dated 17.2.2025 in which it has been stated that due to non production of original documents he is not able to ascertain if he is the same person who was granted pension as per the PPO mentioned in Form IAF (CDA)-651.

Copy of this letter has been handed over to the learned Counsel for the applicant.

Contnd...2/-

Respondents are directed to contact the applicant as the applicant is very old to provide the documents as sought for. Accordingly, respondents are directed to contact nearest military formation Head Quarters and assist the applicant to furnish the details as sought for by the Treasury Officer.


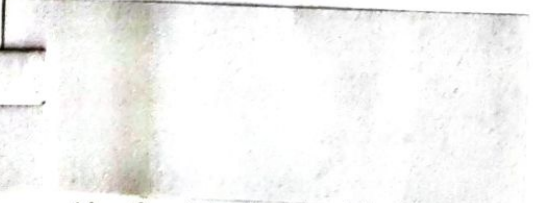
Let a copy of this order be provided *dasti* to the departmental representative officer for the respondents, as prayed.



List after 08 weeks whenever the Bench reassembles next.

(Lt Gen C.P. Mohanty)
Member (A)

(Justice Shailendra Shukla)
Member (J)

Mc/gm

Notes of the Registry	Orders of the Tribunal
	<p style="text-align: center;">ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI</p> <p>28. <u>OA-15/2019</u> With MA 21/2019</p> <p>Mrs Sonabi Begum ..Applicant By legal practitioners for Applicant Zahangir Hussain (Legal Aid Counsel) Moynul Hoque</p> <p>-Versus-</p> <p>UOI & Ors</p> <p>..... Respondents By legal practitioner for Respondents PJ Barman,CGSC RA Choudhury RA Mazumdar (Counsels for Resp No.10)</p> <p><u>CORAM :</u> HON'BLE MR. JUSTICE SHAILENDRA SHUKLA, MEMBER (J) HON'BLE LT GENC.P.MOHANTY, MEMBER (A)</p> <p style="text-align: center;"><u>ORDER</u></p> <p><u>21.02.2025</u></p> <p>Heard Mr.Zahangir Hussain (Legal Aid Counsel) for the applicant and Mr.P.J.Barman for respondents No. 1 to 9.</p> <p>Learned Counsel for the Respondent No10 (2nd wife) is not present.</p> <p>We afford one more opportunity to Respondent No.10 to bbe present on the next date.</p> <p><i>Let</i> Registry to intimate the learned Counsel for the Respondent No.10. If he remains <i>absent</i> on the next date also, the matter will be heard ex parte.</p> <p>Let the matter be listed after 08 weeks whenever the Bench reassembles next.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div data-bbox="387 1825 938 2049" style="width: 45%;">  (Lt Gen C.P. Mohanty) Member (A) </div> <div data-bbox="893 1780 1428 2049" style="width: 45%;">  (Justice Shailendra Shukla) Member (J) </div> </div> <p>Mc/gm</p>

Notes of the Registry	Orders of the Tribunal
	<p style="text-align: center;">ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI</p> <p>29 <u>OA-13/2022</u></p> <p>Ex. SWR Sukumar Roy ..Applicant By legal practitioners for Applicant Rupam Jyoti Sarma Nisha Moni Borah</p> <p>-Versus-</p> <p>UOI & Ors</p> <p style="text-align: right;">..... Respondents By legal practitioner for Respondents P.K.Garodia,CGSC S Dutta S Haque H Das (Counsel for respondent No.5)</p> <p><u>CORAM :</u> HON'BLE MR. JUSTICE SHAILENDRA SHUKLA, MEMBER (J) HON'BLE LT GEN C.P.MOHANTY, MEMBER (A)</p> <p style="text-align: center;"><u>ORDER</u></p> <p><u>21.02.2025</u></p> <p>Mr.Rupam Jyoti Sarma, learned Counsel for the applicant submits that the requisite certificate which was directed to be produced shall be available only by tomorrow and learned Counsel therefore prays for some more time.</p> <p>Meanwhile, respondents are also directed to produce the RMB and RSMB records of the applicant, in original, before this Tribunal on the next date.</p> <p>Copy of the order be provided dasti to the departmental representative, as prayed.</p> <p>The matter be listed after 08 weeks whenever the Bench reassembles next.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;">  (Lt Gen C.P. Mohanty) Member (A) <i>Mc/gm</i> </div> <div style="text-align: center;">  (Justice Shailendra Shukla) Member (J) </div> </div>