

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

- |     |                  |                           |
|-----|------------------|---------------------------|
| 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 24<sup>th</sup> 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. Chandrashekhar 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 26<sup>th</sup> 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