

COURT No.2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

13.

OA 3216/2023

Nk Damor Pravinkumar Kalabhai Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Rang Nath Pandey &
Rahul Pandey, Advocate
For Respondents : Mr. Waize Ali Noor, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER
07.02.2024

Pursuant to directions dated 06.12.2023, the Court notice issued to Ms. Menat Vinaben, daughter of Sanjabhai Somabhai resident of Chhitadara, Tal. Meghraj, District Arvalli is indicated to have been served on 15.01.2024 and there is no representation on her behalf.

As per the averments made in the OA she is the former wife of the applicant Nk Damor Pravinkumar Kalabhai, having since been divorced from the applicant vide order dated 01.10.2021 of the learned Principal District Judge, Arvalli at Modasa vide the said order in Special Marriage Petition No. 2 of 2021.

The prayers made by the applicant vide the present OA are to the effect :-

8. Prayer for relief sought

- (a) *Direction to the respondents to delete/struck the name of Ex wife Smt Damor Vinaben Pravin Kumar from service record (from column of Nominee and legal heirs) on the basis of order dated 01.10.2021 passed by learned Principal District Judge, Aravalli at Madosa in divorce petition No. 2 of 2021 U/S 28*

of the Divorce Act 1954 by mutual consent of Applicant and his wife Smt Vinaben.

- (b) The applicant may be granted any other relief which this Hon'ble Tribunal deem appropriate, just and proper in the interest of justice and in the facts and circumstances of the case.*
- (c) Award the cost of the OA to the applicant.*

9. Interim order, if any prayed for:

To direct the respondents concerned to delete/struck the name of Ex wife Smt Damor Vinaben Pravin Kumar from service record i.e. from column of Nominee and legal heirs on the basis of order dated 01.10.2021 passed by learned Principal District Judge, Aravalli at Modasa in divorce petition NO. 2 2021 U/S 28 of the Divorce Act 1954 by mutual consent of Applicant and his wife Smt Vinaben during pendency of the present OA.

On behalf of the respondents has been submitted today the copy of the Part II order and also the copy of the Kindred Roll and Names of Heirs qua the applicant, which indicate categorically the factum of divorce of the applicant from Ms. Menat Vinaben. In view thereof, the prayers made by the applicant through the present OA have apparently been satisfied and the OA calls for no further action and thus stands disposed of.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)