

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

5.

AT 11/2019 IN OA 335/2017
(RB Jaipur)

Ex Hav (Hony Nb Sub) Mahavir Prasad Dangi Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Randhir Singh Kalkal, Advocate
For Respondents : Mr. V.S. Tomar, Advocate

CORAM:

HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON

ORDER
22.02.2019

AT 11/2019

Through the instant application the applicant is seeking transfer of OA 335/2017 to Principal Bench from AFT, Regional Bench (RB), Jaipur, taking the ground that the main OA is pending before AFT, RB, Jaipur since 2017 and not decided till date primarily because of non functional of the RB at Jaipur on account of non availability of the Members. Further averred is that the case of the applicant is squarely covered by various judgments of the AFT, Principal Bench (PB), which view is affirmed by Hon'ble Supreme Court and in case the OA is transferred to PB, the applicant will be in a position to get speedy justice. Even otherwise in the title of the affidavit attached to the instant AT, the present address of the applicant is of some place in New Delhi.

Although, the instant application is opposed by learned counsel for the respondents, yet keeping in view the totality of the facts and circumstances of the instant case, OA 335/2017, presently pending at AFT, RB, Jaipur, stands transferred to PB. The Registry of transferee Bench is directed to remit the entire record of the OA (in original) to PB within three weeks. Registry is directed to place the OA before the appropriate Bench of PB as per roster on 26th March, 2019.

AT 11/2019 stands disposed of accordingly.

(VIRENDER SINGH)
CHAIRPERSON

/vks/