

**COURT No. 3, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

8.

MA 794/2018 in OA 566/2018

Lt Cdr Bikash R Nayak (Retd.)

..... Applicant

Versus

Union of India &Ors.

..... Respondents

For petitioner : Mr.Aditya Singh Puar, Advocate

For respondents : Mr.Avdhesh Kumar Singh, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT.GEN. PHILIP CAMPOSE, MEMBER (A)

ORDER

15.05.2018

MA 794/2018

Vide this application, the applicant submits that this Court has the jurisdiction to entertain the OA as part of cause of action has arisen at Delhi inasmuch as the applicant had filed first appeal and the order rejecting his claim for disability pension was communicated from New Delhi. That being so, since the part of cause of action has arisen at Delhi. This Tribunal has jurisdiction to entertain O.A.

2. In view of the above, MA is allowed.

OA 566/2018

1. Admit.

2. Issue notice to the respondents.

3. Mr. Avdhesh Kumar Singh, Advocate accepts notice on behalf of the respondents and seeks time to file counter affidavit. Let the same be filed within six weeks' with an advance copy to counsel for the applicant. Rejoinder, if any, be filed within four weeks thereafter.

4. List before the Principal Registrar on **07.09.2018** for completion of pleadings.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(LT.GEN. PHILIP CAMPOSE)
MEMBER (A)**

15.05.2018nk

