

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

1.

MA 108/2022 IN OA 2637/2021

Maj Gen Anil Kumar	Applicant
Versus		
Union of India and Ors.	Respondents

For Applicant	:	Mr. Indra Sen Singh, Advocate
For Respondents	:	Ms. Aishwarya Bhati, ASG for Mr. Neeraj, Sr. CGSC

AND

33.

OA 2637/2021 WITH MA 385/2022

Maj Gen Anil Kumar	Applicant
Versus		
Union of India and Ors.	Respondents

For Applicant	:	Mr. Indra Sen Singh, Advocate with Mr. Rahul Vyas, Advocate
For Respondents	:	Ms. Aishwarya Bhati, ASG for Mr. Anil Gautam, Sr. CGSC

CORAM

**HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)**

**ORDER
25.05.2022**

In our order dated 23.03.2022 we have observed that the record of the consideration indicating the reasons for non-confirmation by the Cabinet Secretariat and the consequent non-empanelment of the Officer were not found. Since the present O.A has been filed by the applicant against his non-empanelment, it is mandatory that all the records are examined and a judicial review

undertaken of the decision process. Thus, it is implicit that the records indicating the reasons for non-confirmation and the consequent non-empanelment in this matter is reviewed by this Tribunal. The respondents were given time to produce the relevant records/seek instructions. Accordingly, the matter was heard today.

2. Respondents have not produced the requisite records even today. Respondents are, therefore, directed to submit the case to the ACC for their consideration and necessary endorsement.

3. List the matters on **29th July, 2022**. The interim orders to continue.

Order '***DASTI***'.

(RAJENDRA MENON)
CHAIRPERSON

(P.M. HARIZ)
MEMBER (A)

/Neha/