

COURT NO. 1, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

2.

AT 87/2023 in (OA 167/2023 with MA 263/2023 RB Mumbai)

Ex Vice Admiral A R Karve

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant

:

Mr. R K Singh, Advocate

For Respondents

:

Gp Capt K S Bhati Sr CGSC

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

O R D E R
29.09.2023

Applicant has filed O.A No. 164/2023 invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007 along with M.A No. 263/2023 for transfer of the said O.A from Regional Bench, Mumbai to Regional Bench, Lucknow.

2. While hearing the matter today, Mr. Rajiv Manglik, learned counsel who is present in the Court, on being aware of the facts of the case informed us that in the matter of invoking the jurisdiction of the Central Administrative Tribunal by a sitting Member with regard to redressal of his grievance there are precedents and judgments which indicate that a sitting Member of the Tribunal should not ventilate his grievance before the same Tribunal instead he should invoke the jurisdiction of the High Court under Articles 226 and 227 of the Constitution of India. Therefore, before taking a decision on the aforesaid application filed by the applicant, I deem it appropriate to take note of the legal position as has been pointed out by Mr. Rajiv Manglik, Advocate. I request Mr. Rajiv Manglik, Advocate to supply all the relevant judgments

in this regard before the Principal Registrar of this Tribunal within a week's time. On the same being furnished, the Principal Registrar shall place the same on record.

3. Let the matter be listed for consideration on **20.10.2023**.

4. The Principal Registrar shall ensure that copies of the judgments that would be produced by Mr. Rajiv Manglik, Advocate are provided to the applicant as well as Gp Capt Karan Singh Bhati, learned CGSC who is appearing for the respondents.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

/jyoti/