

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

SUPPLEMENTARY

1.

OA (Appeal) 4024/2023

Sep Kuldeep Singh Tomar thru his wife  
Smt Babita Tomar ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr. B P Vaishnav, Advocate  
For Respondents : Mr. V.S. Mahndiyan, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER  
14.12.2023

The applicant vide the present OA makes the following prayers:-

- (i) Suspend the SENTENCE awarded to the applicant and grant him bail and*
- (ii) Direct Respondents No. 4 & 5 to supply the applicant true authenticated legible copy of the SCM proceedings duly countersigned by Respondent No. 3, the Brigade Cdr, 30 Inf Brigade alongwith signed Promulgation Order and*
- (iii) Direct Respondents No. 4 & 5, to supply the applicant true legible copy of the COI and Summary of Evidence held in r/o of the applicant based on which the trial has been conducted including the one COI which declared him "DESERTER" and*
- (iv) Allow the applicant to prefer petition under para 365 (a), (b-iii) of the Regulations of Army read with Army Act Sec 162, 163 & 179 and*

*(v) Pass any other order or further orders, instruction/s, direction/s, as this Hon'ble Court may deem just and appropriate in the facts and circumstances of the case.*

*And for this the applicant shall always pray.*

2. In terms of proceedings dated 13.12.2023 as directed by the Hon'ble Chairperson the matter has been assigned only qua the prayer seeking suspension of the sentence and bail of the applicant. Counsel for the respondents whilst accepting notice of the said prayer, seeking time to seek instructions.
3. The matter be re-notified for hearing on 19.12.2023.

(JUSTICE ANU MALHOTRA)  
MEMBER (J)

(LT GEN C.P. MOHANTY)  
MEMBER (A)

/NMK