

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

2.

OA 2365/2023

Cpl Rajrishi Tiwari

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Mr. Tatsat Shukla, Advocate for
Mr. Arvind Kumar, Advocate

For Respondents : Mr. Sudhir Kumar, Advocate

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

O R D E R
15.09.2023

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007 the applicant has filed this application with the following prayers.

- (a) Direct the respondents to furnish the certified copy of the Court of Inquiry (CoI) held vide URO SL No. 2WEU(B)/38/2022 dated 25.10.2022.*
- (b) Pass the direction to the respondent authorities to initiate an action against the officer found to be delinquent following the due process of law.*
- (c) Award cost of the instant case' and*
- (d) Grant any other relief or reliefs as to this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.*

2. As far as prayer (a) is concerned, we are informed that on 11th September, 2023 the entire proceedings of the Court of Inquiry (CoI) have been supplied to the applicant. As far as prayer (b), (c) and (d) are concerned, *prime face*, we find that they are

beyond the jurisdiction of this Tribunal and, therefore, the issue is as to whether anything further remains to be done in this application.

3. As the main counsel is not available, on the request of Mr. Tatsat Shukla, learned counsel appearing on behalf of the applicant the matter is adjourned to **3rd October, 2023**.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[LT GEN C.P. MOHANTY]
MEMBER (A)**

Ps