

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

131.

OA 644/2022

Cdr Sudhir Kumar (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Prashant Vaxish, Advocate
For Respondents : Mr. Avdhesh Kumar Singh, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER
03.01.2024

Since the issue involved is with regard to grant of benefit to the applicant after re-trial in the second Court Martial held and the so called acquittal, it is necessary for us to go through the findings of the Court Martial on re-trial and thereafter take a decision on the intervening period based on the policies. Respondents have not placed the findings of the Court Martial on re-trial for our perusal. We direct the respondents to bring on record the same be filed within two weeks.

2. Respondents are also directed to bring on record copy of the final order passed by Delhi High Court in CW 6664/1998 and CM 12351/98 referred to by the petitioner in the petition and also by the respondents in the counter affidavit.

3. List again on 31st January, 2024.
4. Let a copy of this order be provided *DASTI* to learned counsel for the parties.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

Priya
OA 644/2022