

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

24.

OA 643/2015

Col Purna Chandra Patnaik Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. S.S. Pandey, Advocate
For Respondents : Gp Capt Karan Singh Bhati, Sr. CGSC

CORAM

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

ORDER
11.07.2022

During the course of hearing of the matter an order passed by the Armed Forces Tribunal, Regional Bench, Guwhati in OA 10/2013 (Annexure A-2) on 9th April, 2013 was referred to wherein reference was made to a Division Bench judgment of the Delhi High Court in WP (C) No.5182/2012 – *Darshan Lal Choudhary Vs. Union of India and Ors.* and another judgment in WP (C) No.5303/2012. However, the said judgments are not available on record. Even though, Mr. S.S. Pandey, learned counsel for the applicant, clarified as to what was the issue decided in the said judgment, we are informed by Gp Capt Karan Singh, learned Sr. CGSC that the matter, after the Delhi High Court judgment in the case of *Darshan Lal Choudhary*, went to the Supreme Court and the Supreme Court has quashed the judgment of the Delhi High Court. Even though,

Mr. Pandey tried to argue that the said judgment may not be relevant to the facts of the present case, but we would like to go through the judgments of the Delhi High Court and the orders passed by Hon'ble Supreme Court. Learned Sr. CGSC seeks and is granted two weeks' time for the same.

Treating the matter as Part Heard, we adjourn the matter to 27th July, 2022.

(RAJENDRA MENON)
CHAIRPERSON

(P.M. HARIZ)
MEMBER (A)

vks/neha