

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

26.

OA 3217/2024

Ex Sgt Darshan Singh Panwar Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Ved Prakash, Advocate
For Respondents : Mr. Rajeev Kumar, Advocate

CORAM

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

O R D E R
28.08.2024

A preliminary objection is raised by the respondents to the effect that without exhausting the statutory alternate remedy available and as contemplated under Section 21 of the Armed Forces Tribunal Act 2007, applicant has challenged the order dated 06.06.2024 (Annexure A-1) issued by the competent authority in terms of Section 20(3) of the Air Force Act without exhausting the alternate remedy. Taking note of the aforesaid grievance of the applicant and without expressing any opinion on the merits of the matter, it is directed that treating the application filed before this Tribunal and the grounds raised therein as a representation by the applicant challenging or calling in question tenability of the impugned order (Annexure A-1) dated 06.06.2024,

the same be placed before the competent authority and the competent authority is directed to decide it by a Speaking Order in accordance with law within a period of two months of its presentation and convey it to the applicant. Needless to emphasize that if still aggrieved by the order, applicant shall have the liberty to ascertain the same in accordance with law.

‘DASTI’.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

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