

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

112.

OA 486/2023 with MA 3626/2023

Maj Dashrath Singh Chauhan	Applicant
Versus		
Union of India & Ors.	Respondents
For Applicant	:	Mr. Ombir Singh, father of the Applicant In Person
For Respondents	:	Mr. Neeraj, Sr CGSC None for R-3

CORAM

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

O R D E R
22.05.2024

OA 486/2023 WITH MA 2636/2023

During the course of hearing it has transpired that one of us, namely, Hon'ble Lt Gen C.P. Mohanty, Member (A), was the SRO of the applicant at some point of time during the period for which the dispute has arisen, he, therefore, recuses himself from hearing this matter.

2. The applicant is shown to be appearing in person. However, at the time of hearing it transpired that the person appearing before us as the applicant is not the applicant himself but his father. Having perused the rule position, we are of the considered view that the father can only be an agent of his son for the purpose of filing and/or signing the documents on his behalf but cannot argue the matter. Arguments and presentation before the Court at the time of

hearing can only be done by the applicant himself or his authorized counsel. That being so, an objection was raised by the Court asking the applicant's father, who was arguing the matter, as to under what capacity he is arguing. After certain deliberations, the father agreed to engage a counsel. That being so, the applicant is directed to engage a counsel to represent him in the matter.

3. In view of the above, the office is directed to place this matter before the Hon'ble Chairperson on the administrative side for constituting a Bench for hearing of the matter.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

/vks/