

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

69.

MA 2335/2024 IN OA 2284/2023

Lt Col Vaibhav Jindal Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Ajit Kakkar, Advocate
For Respondents : Mr. Niranjana Das, Advocate

CORAM

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

O R D E R
05.07.2024

OA 2284/2023

This application has been filed by the applicant seeking premature retirement from service with a prayer to direct the respondents to consider and grant him premature retirement from the service.

2. Today when the matter is taken up, respondents have produced before us a communication dated 22.12.2023, i.e. issued by the Competent Authority wherein in Para 2 it is indicated that the applicant's request, submitted on 18.09.2021 for premature retirement from Army Service has been examined and subsequently rejected by the Competent Authority.

3. In view of the above, the prayer made in the OA now rendered infructuous, if the applicant is aggrieved by the rejection of his application, he is required to challenge it afresh in accordance with the law.

4. Keeping in view of the aforesaid, both MA and OA, i.e., MA 2335/2024 for closing the right of the respondents to file the counter affidavit and the OA 2284/2023 seeking the relief of consideration of the application for premature retirement, stand rendered infructuous.

5. Accordingly, both the applications are disposed of with liberty to the applicant to challenge the order passed on 22.12.2023 rejecting his claim for grant of premature retirement.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

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