

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

69.

MA 2289/2024 in OA 1888/2018

Hav Ram Phal ..... Applicant  
Versus  
Union of India & Ors. .... Respondents

For Applicant : Mr. Rajesh Nandal, Advocate  
For Respondents : Mr. Sarvan Kumar, Advocate

CORAM

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

ORDER  
28.05.2024

Having heard learned counsel for the parties, we find that in OA 1888/2018, the applicant has only challenged his supersession and promotion to the next higher post. Now, the applicant wants to amend the OA by amending the OA clause and seeking quashing of the charge sheet issued to him and the consequential punishment of reprimand. The prayer pertains to a different cause of action and therefore, the same cannot be allowed in the light of the objections raised by the respondents. The application for amendment is dismissed. However, liberty is granted to the applicant to withdraw the OA 1888/2018 and file a consolidated petition claiming promotion and challenging the charge sheet and the reprimand order. However, the said withdrawal of the petition and the liberty to file a separate

petition would be subject to objections that may be raised by the respondents.

With the aforesaid, both the MA and OA 1888/2018 stands disposed off with a liberty to applicant as indicated here in above.

**[JUSTICE RAJENDRA MENON]  
CHAIRPERSON**

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

/sm/kt