

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

8.

OA 709/2022

In the matter of :

Maj Gen Dhiraj Mohan

... Applicant

Versus

Union of India &Ors.

... Respondents

For Applicant : Shri Indra Sen Singh, Advocate

For Respondents : Gp Capt Karan Singh Bhati, Sr CGSC

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

O R D E R
13.03.2023

During the course of hearing of this application the implication of the award of censure particularly with reference to effect of censure on career aspect of an officer as contemplated in Para 24 of the policy dated 11th August, 2017 was evaluated by this Court and this Court, prima-facie, was of the opinion that if the censure adversely affects the right of promotion of an employee, then the issue has to be dealt with in a different manner and not in the manner as has been placed before us. To decide that issue we would like the respondents to address us with regard to the implication of the policy dated 11th August, 2017

particularly with reference to Para 24 and how it would affect the career prospects and promotion chances of an officer and the period for which the same would be kept on the record and the manner in which it would be considered by the Promotion Boards and Selection Boards.

Let an affidavit in this regard be filed within in two weeks.

Treating the matter to be Part Heard, list it again on 05th April, 2023 at 2:15 pm.

We may further observe that the retirement of the applicant shall be subject to the final decision of this petition and we may pass appropriate order with regard to his promotion/ retirement at the time of Final Hearing.

**[RAJENDRA MENON]
CHAIRPERSON**

**[DHIREN VIG]
MEMBER (A)**

/sm/ps/