

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

85.

OA 3140/2024

Nb Sub Suresh Singh Gurjar Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Mohan Kumar, Advocate
For Respondents : Mr. Rajeev Kumar, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)

ORDER
14.11.2024

OA 3140/2024

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007, the applicant has filed this OA and it is stated by the applicant that he has not been promoted from the post of Nb Sub to Sub and wants the following documents to agitate the matter. The documents sought for in para 4 sub para 4.4 read as under:

- “1. Copy of ACR's for the relevant period for promotion from Naib Sub to Subedar.
2. Copy of policy relevant to the promotion from Naib Subedar to Subedar.
3. Copy of DPC wherein applicant was considered promotion to subedar.
4. Copy of the list of juniors promoted to the rank of Sub before the applicant.”

2. Today when the matter is taken up, learned counsel for the respondents points out that as far as copies of the ACR for the relevant period are concerned, the same cannot be supplied to the applicant, however, as per rules, the same have already been

perused by him. As far as supply of copies of the DFC proceedings are concerned, it is stated that it is a confidential document and copies thereof cannot be supplied. However, as regards the copy of the relevant policies dealing with the promotion to the post in question and the list of juniors is concerned, the respondents have the copies of the said documents.

3. Keeping in view the aforesaid, we find that the applicant is only entitled to documents at para 4 sub-para 4.4 (2) and (4) and the copies of the same have been supplied to learned counsel for the applicant today in Court. As far as other documents are concerned the Rules and Policies do not permit grant of the same and, therefore, no direction for supply of copies thereof can be issued.

4. Having perused the record and on consideration of the fact that copies of two documents, as mentioned hereinabove, have been supplied to learned counsel for the applicant today in Court, the OA stands disposed of as having rendered infructuous in view of the compliance made today by the respondents.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[RASIKA CHAUBE]
MEMBER (A)**

/vks/