

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

88.

OA 1551/2024

Sub Maj (Hony Lt)

Birendra Prasad Kotnala (Retd)

..... Applicant

Versus

Union of India & Ors.

..... Respondents

For Applicant : Mr. Rajiv Manglik, Advocate

For Respondents : Mr. Neeraj Sr CGSC

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER
03.07.2024

Having heard learned counsel for the parties, we find that the applicant has invoked the jurisdiction of this Tribunal and in the prayer made seeks quashing of the order passed on 05.04.2024 where his application dated 23.09.2021 for appointment as JE has not been considered primarily on the ground that the Garrison Engineer has not signed the application and forwarded it. However, on a perusal of the documents available on record, Annexure A6 we find that the Garrison Engineer had forwarded the application for consideration and once the Garrison Engineer himself had forwarded the applicant's application, it is not known as to why what further signature are required.

2. The signature of the Garrison Engineer is only with regard to his consent for consideration of the application and if it has

been forwarded by the Garrison Engineer vide Annexure A6 on 14.10.2023 it is not known as to how and on what ground the application is not being considered for want of signature of the Garrison Engineer. Similarly in page 12 of the application itself the Garrison Engineer had endorsed his signature.

3. Taking note of all these factors, we direct the respondents to consider the application of the applicant in accordance with the policy before the next Board which would be held immediately after passing of this order and take a decision and communicate it to this Tribunal within six weeks. If for any reason, the application cannot be considered, the respondents will have to give specific reason for the same and communicate to the applicant and file it before this Tribunal on the next date.

4. List the matter again on **30.08.2024**.

5. A copy of this order be provided DASTI to learned counsel for both the parties.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

/jyoti/