

COURT No.1  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

(THROUGH VIRTUAL HEARING)

25.

OA 2155/2021

Cdr S Sivan ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr. I. S. Singh, Advocate with  
Ms. Kirtika Chhatwal, Advocate  
For Respondents : Mr. V. S. Tomar, Advocate

CORAM

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

ORDER  
08.10.2021

Issue notice. Mr. V. S. Tomar, learned counsel appearing for the respondents, accepts notice. Let counter affidavit be filed within four weeks.

2. We are conscious of the fact that in the light of the orders passed by the Hon'ble Supreme Court in the case of Union of India and Ors. Vs. Lt Cdr Annie Nagaraj dated 24<sup>th</sup> August, 2021 a time frame has been granted for deciding the cases before 31<sup>st</sup> October, 2021. However, at the same time the Hon'ble Supreme Court had directed this Tribunal to club all cases together and hear them. That has been done and from 11<sup>th</sup> October, 2021 onwards till 22<sup>nd</sup> October, 2021 schedule has been fixed by this Tribunal for Physical Hearing of all these cases.

3. Now, this case has been filed very recently, just a week back and listed today for admission. We have given liberty to the respondents to file their objections and only thereafter the matter can be heard. The applicant is responsible for filing this petition in the first week of October, 2021 in spite of the fact that the Hon. Supreme Court passed the order way back in August 2021.

4. Considering all these facts, we direct that this matter be now listed for consideration after four weeks by which time respondents should file their counter affidavit/objection.

5. List on 29<sup>th</sup> November, 2021.

**(RAJENDRA MENON)**  
**CHAIRPERSON**

**(P.M. HARIZ)**  
**MEMBER (A)**

/vks/Neha