

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

12.

OA 3096/2024

Sgt Ram Awadh Singh Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Ravi Kumar, Advocate
For Respondents : Mr. S. R. Swain, Advocate

CORAM

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

O R D E R
23.08.2024

Issue notice. Mr. S. R. Swain, learned counsel appearing on behalf of the respondents, accepts notice. Let counter affidavit be filed within four weeks.

2. Prayer for interim order shall be considered after reply is filed by the respondents.. The criteria of granting interim relief is based on three principles, i.e., (i) Prima facie case, (ii) balance of convenience and (iii) irreparable loss being in favour of the applicant. In the case of the applicant, even though he may have a good prima facie case but balance of convenience is not in his favour. So far as the irreparable loss is concerned, even if the applicant is discharged from service, there is no irreparable loss or financial loss caused to the applicant as he can always be compensated at the time of

final hearing. Therefore, for the present, finding no ground to grant any interim relief, the prayer for interim relief is declined.

3. List again on 27th September, 2024.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

**Priya
OA 3096/2024**