

**COURT No. 3, ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

7.

**OA 1648/2018**

**In the matter of :**

**Ex LAC Sanjay Kumar**

**... Applicant**

**Versus**

**Union of India & Ors.**

**... Respondents**

**For Applicant** : Mr. V.S. Kadian, Advocate

**For Respondents** : Dr. Vijendra Singh Mahndiyan, Advocate

**CORAM:**

**HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)**

**HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)**

**O R D E R  
10.10.2018**

At the outset, learned counsel for the respondents objects to the maintainability of OA on the ground that before filing the present OA, the applicant has not exhausted alternate remedies available to him, and also on the ground of territorial jurisdiction.

Learned counsel for the applicant, however, submits that the part of the cause of action has arisen at Delhi and, therefore, this Tribunal has jurisdiction to entertain the OA. It will be open to the respondents to take appropriate objection in their counter affidavit.

Heard. Admit.

Issue Notice to the respondents. Mr. Rajesh Kr. Das, Advocate accepts notice on behalf of the respondents and seeks time to file counter affidavit. Let the same be filed within four weeks with advance copy to the learned counsel for the applicant.

...2/-

List on **22<sup>nd</sup> November, 2018** before the Principal Registrar  
for completion of pleadings.

**[JUSTICE SUNITA GUPTA]**  
**MEMBER (J)**

**[LT.GEN. SANJIV CHACHRA]**  
**MEMBER (A)**

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