

**COURT No.2  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

56.

OA 214/2023 with MA 1669/2024

Capt Saurabh Agarwal ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr. Ajit Kakkar, Advocate  
For Respondents : Gp Capt Karan Singh Bhati Sr CGSC R-1  
to R-4 and Amit Kumar R-5, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE LT GEN P. M HARIZ, MEMBER (A)

ORDER  
13.08.2024

Part submissions have been addressed on behalf of either side. During the course of submissions made on behalf of the respondent No. 5 it is submitted that in relation to the Flat at Pune the applicant is enjoying monthly income of Rs. 20,000/- whilst availing income tax benefits as is averred vide an affidavit of respondent no. 5 dated 08.07.2024.

2. The applicant shall thus file an affidavit in relation to the said submission made by the respondent no. 5 vide the additional affidavit dated 08.07.2024 and shall place on record the rent agreement, if any, in relation to the Pune Flat on the record.

3. On behalf of the respondents no. 1-4 Naval orders are sought to be placed on record to submit that it is only the mandatory deductions that are permissible therein, that can be

taken into account whilst passing a maintenance order. The same be placed on the record for the next date of hearing.

4. The Salary Certificate of the applicant be placed on the record by both the applicant and the respondents no. 1-4. The applicant shall also place on record the documents of registration if any in relation Flat 204 in building “Yucca (B-1)” in the project “Nyati Iris” at Mohammadwadi, Pune be placed on the record also by the applicant.

5. In view of the documents that have been filed on behalf of the applicant which is the document in relation to this Noida Property placed on record as Annexure A to documents filed by the applicant on 20.06.2024 and the submission that has been made by the respondent no. 5 vide her additional affidavit dated 08.07.2024 that she is not aware whether she is co-owner of the flat of the Greater Noida, counsel for respondent no. 5 in view of documents at Annexure A-7 filed by the applicant seeks time to seek instructions in relation thereto.

6. The matter be re-notified for hearing on 05.09.2024.

**(JUSTICE ANU MALHOTRA)  
MEMBER (J)**

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

Yogita