

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

160.

OA 1620/2024

Sgt Karan Bagga MTD	Applicant
Versus		
Union of India & Ors.	Respondents

For Applicant	:	Mr. Abhay Kant Upadhyay, Mr. Madan Pal Vats, Advocates
For Respondents	:	Mr. Sudhir Kumar, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

O R D E R
10.12.2024

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007, applicant has called in question tenability of an order dated 27.12.2023 wherein the claim of the applicant for grant of Pre-mature discharge from service has been rejected on administration consideration.

2. Even though the counter affidavit is not filed, today when the matter is taken up learned counsel appearing on behalf of the respondents brought to our notice an order passed by the Competent Authority on 28.10.2024 whereby the Competent Authority has approved the discharge of the applicant under the Provision of Rule 15(2)(g)(ii) of the Air Force Rules, 1969 (AFR) as his services are no longer

required by the Indian Air Force and he is treated to be unsuitable for retention in Air Force Service on account of various reasons and therefore on 11.11.2024 he was directed to report to the Competent Authority for effecting the discharge as he is on leave and his discharge can be implemented only when he rejoins after leave and discharge process is completed.

3. In spite of notice issued to him on 22.11.2024, applicant has not reported as he is on annual leave from 04.11.2024 to 13.12.2024. That being so, the applicant is now required to report to the Competent Authority, we direct the learned counsel appearing for the applicant to instruct the applicant to report to the Competent Authority after completion of his annual leave to participate in discharge process. Respondents are directed to bring on record this communication.

4. List again on 14th February, 2025.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[REAR ADMIRAL DHIREN VIG]
MEMBER (A)**

/Priya/
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