

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

42.

OA 4690/2024

Sgt Ankur Kumar

Thru his mother Smt Vimla Devi

..... Applicant

Versus

Union of India & Ors.

..... Respondents

For Applicant : Mr. Durgesh Kumar Sharma, Advocate

For Respondents : Mr. Siddhant Kohli, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT. GEN. C. P. MOHANTY, MEMBER (A)

O R D E R

23.05.2025

The prayer made in Para 8A of the OA filed under Section 14 of the Armed Forces Tribunal Act 2007 reads as under:

- a) Direct the Respondent i.e (No. 4) to consider & dispose of the invalided out application dated 09 May 2023 (Annexure A-1) of applicant as per existing clause 17 of Air Force Instruction as accordance with law within a period of 4 week thereby a discharge order from service with all consequential benefits of applicant be issued in the interest of Justice.
- b) Any other relief which the Hon'ble Tribunal may deem fit and proper in the fact and circumstances of the case.

2. On notice being issued, the respondents have placed on record a detailed speaking order dated 29.03.2025 passed by the competent authority, wherein the applicant's request for premature discharge on medical grounds submitted on 05.06.2024 has been duly considered and rejected by a reasoned order.
3. In view of the above, the relief sought in the present OA has become in fructuous and the same is to be disposed of accordingly. However in the light of the passing of the speaking order the learned counsel for the applicant seeks permission to amend the petition to challenge the said order. The prayer is allowed. The applicant is granted liberty to file an appropriate application for amendment within a period of four weeks from today.
4. Re-list on **28.07.2025**.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

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