

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

149.

OA 612/2019

Ex Sgt Vishal Singh Solanki	Applicant
Versus		
Union of India & Ors.	Respondents
For Applicant	:	Mr. Omprakash Kr Srivastava, Advocate
For Respondents	:	Mr. Waize Ali Noor, Advocate

CORAM

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

O R D E R
22.07.2025

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007 the applicant has filed this OA and the prayer as indicated in Para 8 reads as under:-

(a) To quash and set aside the impugned order/letter dated 07th December 2018 whereby plea of applicant for quashing of order or dismissal was rejected and re-instate the applicant in service with all consequential benefits.

(b) To direct the respondents to convert the punishment of 'dismissal' into 'discharge' from the service.

2. Today, at the time of hearing, learned counsel for the applicant submitted that the applicant does not wish to challenge the dismissal order dated 07.12.2018 and, therefore, withdraws the said prayer. He, however, seeks permission to submit a mercy petition to the Competent

Authority for grant of pension, despite the dismissal, after condonation of the default.

3. Taking note of the aforesaid submissions, the OA is disposed of in the following terms:

- a) In case the applicant desires to seek pension by approaching the Competent Authority through a mercy petition, he may do so within one month from today.
- b) Upon receipt of such petition, the Competent Authority is directed to place it before the appropriate authority for consideration.
- c) It is directed that the mercy petition shall be considered and disposed of in accordance with the applicable rules and regulations, within a period of two months from the date of submission of the same.

4. With the above observations and directions, the OA stands disposed of.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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