

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

9.

OA 2272/2025

Lt Col Radhakrishnan Murali	Applicant
Versus		
Union of India & Ors.	Respondents

For Applicant	:	Mr. Piyuah thakran, Advocate
For Respondents	:	Mr. Jagdish Chandra, Advocate

CORAM

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

O R D E R
29.07.2025

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, the applicant has filed this application and the reliefs claimed in Para 8 read as under:

- (a) Call for the complete original record leading to the award of the impugned Censure Order dated 17.06.223, including the original COI proceedings and the file-notes pertaining to the case of the applicant, and after perusal thereof set aside said Censure Order being illegal and malafide, or remove the same in terms of the new policy of award of Censure.
- (b) Direct the Respondents to remove the Impugned Censure Order dated 17.06.2023 from the Applicant's Record of Service and place the Applicant in the

same position in which he was before the award of said Censure.

- (c) Direct the Respondents to reconsider the applicant as a Special Review fresh case in the upcoming Selection Board for grant of rank of Colonel (time-scale);
- (d) Issue and other order(s) and direction(s) as deemed appropriate by this Hon'ble Tribunal under the facts and circumstances of this case.

2. The grievance of the applicant is that the censure awarded to him vide Annexure A2 on 17.06.2023 has outlived its utility and cannot now be used against him in any manner whatsoever, particularly when considering his case for promotion by the appropriate Selection Board. In this regard, learned counsel refers to the policy dated 30.10.2023 issued by the MoD in the Integrated Headquarters and the communications made by the Army Headquarters on 22.04.2024, wherein the period for operation of censures has been laid down. A Coordinate Bench of this Tribunal, in the case of **Lt Col Sandeep Mishra Vs. Union of India and Ors. (OA 1605/2022)** with **Lt Col Sumit Acharya Vs. Union of India and Ors. (OA 1702/2022)**, has decided the issue and clearly stipulated that the policies dated 30.10.2023 and 22.04.2024 will have retrospective effect and censures which are still in existence today i.e. which have a lifespan of ten years as

per the 2017 policy would also now be covered by the time period fixed in the policies in question dated 30.10.2023 and 22.04.2024. Accordingly, the respondents should take note of the amended policies as indicated hereinabove and in case the censure in question was issued in 2017 and the time stipulated in the policy dated 22.04.2024 has elapsed, the censure should not be taken note of while considering the applicant's case for promotion in the Selection Board.

3. With the aforesaid observations, the OA stands disposed of.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

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