

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

196.

OA 2939/2024

Lt Col Poonam Prakash Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Rajiv Manglik, Advocate
For Respondents : Mr. Anil Gautam, Sr. CGSC

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER
06.03.2025

OA 2939/2024

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007, the applicant has filed this application with the following relief:

“(a) To declare the action of the respondents as unjust, arbitrary and illegal; and

(b) To call for complete record of the proceedings of No 3 selection boards held in respect of the applicant and the special review Board held in respect of respondent No 4; and

(c) To direct the respondents to dispose of the statutory complaint of the applicant and hold review selection board as per the outcome of the statutory complaint and promote the applicant prior to the respondent No 4; and

(d) To grant all consequential benefits to the applicant if the applicant is approved for grant of PC with the changed profile; and

(e) To award exemplary costs upon the respondents in the facts and circumstances of the record; and

(f) To pass any such further order or orders, direction / directions be passed so as to this learned Tribunal may deem fit and proper in accordance with law.

In the Interim: The balance of convenience is in favour of the applicant and against the respondents and on the basis of averments and grounds mentioned in Para 4 & 5 above, it is humbly prayed by the applicant that this Hon'ble Tribunal may kindly be pleased to stay the utilisation of any vacancy to the rank of Col (or Equivalent in Navy or Air Force) by any junior of the applicant till the disposal of this case or pass any other order as deemed fit to protect the applicant."

2. Today when the matter is taken up for hearing, learned counsel for the applicant submitted that the Review Promotion Board has been conducted and the applicant has not been empanelled. That being so, the applicant is now required to challenge the proceedings of the Board and her non-empanelment in accordance with law and, therefore, for the present, learned counsel for the applicant prays for disposal of this matter with liberty to the applicant to challenge the Review Selection Board in accordance with law. Prayer allowed.

3. The OA stands disposed of with the aforesaid liberty.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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