

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

222.

OA 2939/2024

DR-10591A 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
13.09.2024

Invoking the jurisdiction of this Tribunal u/s 14, the applicant has filed this application and the prayer made in para 8 reads as under:

- “(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.”

2. During the course of hearing, learned counsel for the respondents produces before us an order passed on 12.09.2024 i.e. only yesterday by the Government of India, Ministry of Defence in the Department of Defence deciding Statutory Complaint filed by the applicant on 05.02.2024 and granting relief to the applicant in the aforesaid complaint. One of the prayer made by the applicant vide para 8(c) is to the fact that the respondents be directed to decide this Statutory Complaint of the applicant by passing of this order on 12.09.2024. This relief has been granted to the applicant and now in the light of the relief granted to the applicant in the aforesaid order passed on 12.09.2024. The Promotion Board (AFMS) is to be held according to the relevant rules and regulations and policy and a decision taken.

3. We direct the respondents to place the matter of the applicant for consideration before the next board in view of the aforesaid order and thereafter, intimate us the result of the board proceedings.

The matter be listed again on 20.11.2024 immediately after the board proceedings are over.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

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