

COURT No.2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

Supplementary

1.

OA 3355/2025

Col Akshaya Kumar Shukla Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Anand Kumar, Advocate
For Respondents : Mr. Karan Singh Bhati, Sr. CGSC with
Mr. Yogeshwar Krishnan Purohit,
Advocate
Capt Abhishek Kumar, OIC, Legal Cell

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER
16.10.2025

The applicant vide the present OA makes the following prayers:-

*“A. Direct the General Court Martial to supply the typed copy of the proceedings containing statements of witnesses, objections raised, orders passed on loan to allow and facilitate the applicant to prepare and submit his Closing Address and
B. Decide the question of law as raised in this application and/or
C. Pass any order or orders, instructions/s, directions/s as this Hon'ble Court may deem just and appropriate in the facts and circumstances of the case.”*

2. Along with the same is a prayer seeking grant of interim relief to the effect:-

“Grant stay on the Court Martial proceedings until disposal of this application.”

3. Notice of the OA and interim prayers is issued and accepted on behalf of the respondents. The appellant has sought the supply of the typed copies of the proceedings containing statements of witnesses, objections raised, order passed on loan to allow and facilitate the appellant to prepare and submit his closing statement. It has been submitted on behalf of the respondents that the applicant would be entitled only to the inspection of the court martial proceedings that are in progress in terms of Rule-93 of the Army Rules, 1954.

4. On behalf of the appellant, reliance is placed on Sections-74 and 75 of the Bharatiya Sakshya Adhiniyam, 2023 to submit to the effect that in as much as the appellant is entitled to inspect the records of the court martial proceedings, consequently the appellant would also be entitled to the supply of the copies of which inspection has made in relation thereto. Presently, the said aspect is kept open for consideration. However, in the interest of justice, we direct that the recording of the closing statement of the appellant shall be deferred to the date 27.10.2025 to enable to appellant to inspect the entire record of the court martial proceedings.

5. The matter be renotified with the connected matters of the appellant on the date **06.11.2025**

Copy of this order be given *DASTI*

**(JUSTICE ANU MALHOTRA)
MEMBER (J)**

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