

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

6.

OA 3352/2025 WITH MA 4958/2025

Maj Vinod Kumar Sashidharan Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Dhiraj Kumar, Advocate
For Respondents : Mr. R.S. Chillar, Advocate

CORAM

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

ORDER
16.10.2025

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007, the applicant has filed this application and the reliefs claimed in Para 8 (a), (b) and (c) read as under:

“(a) To direct the respondents to provide a legible complete approved copy of Release Medical Board.

(b) To direct the respondents to provide rejection letter of disability pension if he has not been found eligible for disability pension.

(c) To direct to the respondents to treat this OA as First Appeal if the disability pension claim has been rejected by respondents.”

2. With regard to the prayers made in Para 8 (a) and (b), it is stated by learned counsel for the respondents that the applicant may apply to the Competent Authority for deciding

the issue. This objection in our considered view should not have been taken at the very first instance because the Union of India and the Directorate General Territorial Army are parties before us and whoever is the Competent Authority are subject to their jurisdiction and, therefore, it is the duty of respondent No.3 to ensure, in these proceedings before us, that the Competent Authority complies with the order.

3. Be as it may, as the prayer made by the applicant vide prayer clause 8 (c) is to treat this OA as a 1st Appeal and decide it in accordance with law. We find no reason to disallow that prayer.

4. Keeping in view the aforesaid, we direct that on the applicant filing a copy of this order along with a copy of the OA before respondent No.3, namely, Directorate General Territorial Army, the office of respondent No.3 shall forward the papers to the First Appellate Authority and the First Appellate Authority shall decide it within a period of two months from the date of receipt of a copy of that order. If required, the applicant may call for the documents, in case he wants, by filing an application before the First Appellate Authority and before deciding the 1st Appeal, the First Appellate Authority shall provide the documents to the applicant, give him an opportunity to make his submissions

in writing and thereafter, decide the appeal. Either way, the appeal be decided within three months from the date of receipt of a copy of this order.

5. With the aforesaid, the OA stands disposed of.

6. In view of the above, no orders on the MA for the present are required.

7. A copy of this order be provided *'DASTI'* to learned counsel for the parties.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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

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