

COURT NO. 1, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Virtual Hearing)

1.

OA 2270/2019 with MA 3176/2019

In the matter of :

Smt Babuna Devi W/O

Late Hony Nb Sub Ramashish Ram

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Shri Praveen Kumar, Advocate

For Respondents : Shri K.K. Tyagi, Advocate

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

O R D E R
17.02.2021

This case and many other cases were filed before the Principal Bench at New Delhi, though the territorial jurisdiction to deal with such cases rested with the Regional Bench at Lucknow. At the time of permitting filing of the applications in the Principal Bench at New Delhi for transferring the cases from Lucknow, it was clearly indicated that the cases would be transferred back to the Regional Bench at Lucknow once the Lucknow Bench starts functioning.

2. The office has indicated in the note sheet in question that now after the appointment of both Judicial Member and the Administrative Member, the Regional Bench at Lucknow has started functioning and the matters can be sent back to the

Lucknow Bench. However, counsel for the applicants stated that the cases have been pending in the Principal Bench for more than a year and even though the Lucknow Regional Bench has started functioning, there being large number of cases, even regular cases registered are unable to be disposed of at an earlier date. It is also stated that the applicants have engaged counsel to defend them in the Principal Bench at New Delhi and, therefore, a prayer is made that now when most of the cases are at the advanced stage, they be continued to be heard in the Principal Bench at New Delhi.

3. Taking note of the submissions made, as an exceptional circumstance, for the present, when still large number of posts of both Judicial and Administrative Members are vacant in the Tribunal, I see no reason to send back the cases to the Regional Bench at Lucknow, instead they be retained and their hearing be held in the Principal Bench at New Delhi until further orders.

4. The cases be listed before the appropriate Bench as already scheduled in the order sheets.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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