

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

5.

OA 1808/2025

RHM (TIGM) Rajesh Kumar Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. S S Pandey, Advocate
For Respondents : None
Maj Satvik Grover, OIC, Legal Cell

CORAM

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

ORDER
03.07.2025

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

“8. RELIEF (S) SOUGHT:

In view of the facts mentioned in Para 4 and 5 above, the Applicant prays that this Hon'ble Tribunal may be graciously pleased to allow the present application with costs by passing following orders/directions :-

(a) Call for the records including necessary orders /directions including the policy instructions based on which the cadre re-structuring of TIR, TIGM and TICC of WE/PE of Army Air Defence Units /Establishments was carried out by Respondents vide their impugned Advisory: WE dated 19.11.2024, awarding the vacancies reserved for TIR and TIGM to TICC and thereafter quash the same to the extent the existing vacancies of Naib Subedar/Subedar/Sub Maj of the other trade including TIGM has been illegally transferred to TICC and thereafter quash the same;

(b) Direct the Respondents to carry out a holistic Cadre Review of all three Technical Instruction Cadres of TIR, TIGM and TICC as per WE/PE of Army Air Defence Units / Establishments keeping in mind creation of promotional avenues in TIGM and TIR in proportion and either allocate the vacancy to the TICC strictly as per the PE/WE of

OpR Trade or if the extra vacancy is found to be necessary in organisational strength, same be adjusted by increasing the existing strength without affecting the trade of the Applicant.

(c) Direct the Respondents to promote the Applicant and other existing similarly situated persons of the TIGM Cadre to be granted promotion as per the PE/WE as existed prior to the advisory dated 19.11.2024

(d) Pass such and other orders, as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.”

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

“9. INTERIM ORDER, IF ANY PRAYED FOR:

In view of the facts and legal position as discussed above, issue necessary interim directions by staying the operation of the advisory dated 19.11.2024 to the extent of altering the vacancy position of the TIGM. In other words direct the Respondents to carry out any promotion of TICC Cadre to ensure the same does not use any vacancy as existed prior to 19.11.2024.”

3. Notice of the same is issued and accepted on behalf of the respondents.
4. The matter be re-notified with OA 1793/2025 and OA 1794/2025 listed for the date 12.08.2025.

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

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

