

**COURT No.3, ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

8.

**OA 1116/2015 with MA 1055/2015**

**Ex Dfr Birender Singh Rawat**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. V.S. Kadian, Advocate

**For Respondents** : Mr. S.D. Windlesh, Advocate

**CORAM**

**HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)**

**HON'BLE VICE ADMIRAL P. MURUGESAN, MEMBER (A)**

**O R D E R  
26.02.2019**

Counsel for the applicant submits that the discharge of the applicant was deemed to be invalidated out of service as his service was cut short due to low medical category and Show Cause Notice was given to him and thereafter, he was discharged from service.

2. However, it is pointed out by counsel for the respondents that in the OA, the applicant himself averred that he was discharged from service at his own request. However, the documents are not available. As such, respondents are directed to bring his service record also containing the Show Cause Notice and reply sent by the applicant for his discharge at his own request.

3. List on **22.08.2019**.

**[JUSTICE SUNITA GUPTA]  
MEMBER (J)**

**[VICE ADMIRAL P. MURUGESAN]  
MEMBER (A)**

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