

**IN THE ARMED FORCES TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI**

O.A NO. 604 OF 2009

SUB. VED VART

....APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

ADVOCATES

MR. S.S PANDEY FOR THE APPLICANT

MR. AJAI BHALLA

WITH

LT. COL. NAVEEN SHARMA FOR RESPONDENTS

CORAM

HON'BLE MR. JUSTICE S.S.KULSHRESTHA, MEMBER

HON'BLE LT. GEN. S.S.DHILLON, MEMBER

J U D G M E N T

08.10.2010

1. This O.A has been brought for quashing the order dated 14.9.2010 of GOC-in-C, South Western Command, by which the appellant was attached to 73 Armour Regiment for initiating disciplinary proceedings against him. Prayer has also been made to quash the order

supposedly passed by the Army Headquarters, which has not been produced.

2. The place wherefrom the impugned order was passed viz. Jaipur, and the place where the appellant was attached do not fall within the jurisdiction of this Tribunal. Much emphasis was laid by learned counsel for the appellant that some of the directions given by the Government of India would fall within the jurisdiction of this Tribunal. The applicant has not produced the attachment order. In its absence, no inference can be drawn whether such order has been issued by the Army HQs or not. In view of Rule 6 of the Armed Forces Tribunal (Practice) Rules 2008, we are of the view that this Bench has no jurisdiction.

3. In the result, the O.A dismissed, with liberty to file a fresh application before the appropriate authority.

(S.S DHILLON)
MEMBER

(S.S KULSHRESTHA)
MEMBER