

IN THE ARMED FORCES TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI

16.

O.A.No. 246 of 2010

Hav. Atar Singh

.....Petitioner

Versus

Union of India & Ors.

.....Respondents

For petitioner: Sh. D.S. Kauntae, Advocate.

For respondents: Mr. Anil Gautam proxy counsel for Sh. R. Balasubramanian,  
Advocate for R-1 to R-6.

CORAM:

HON'BLE MR. JUSTICE A.K. MATHUR, CHAIRPERSON.

HON'BLE LT. GEN. M.L. NAIDU, MEMBER.

ORDER

17.01.2011

Since an objection has been raised by respondents that NSG is not amenable to the jurisdiction of this Tribunal, we uphold this objection and permit the petitioner to withdraw this application with liberty to agitate the matter before the competent forum. So far as the order passed by the Chief of Army Staff is concerned it is without jurisdiction because the delinquency has been committed by the petitioner during his deputation to the NSG in 2006-2007 when a severe reprimand has been passed under Section 40 of the NSG Act. The petitioner is aggrieved against the order of the NSG and he can approach the competent forum in accordance with law.

The application is dismissed as withdrawn with liberty to agitate the matter before the competent forum.

A.K. MATHUR  
(Chairperson)

M.L. NAIDU  
(Member)

New Delhi  
January 17, 2011.