

IN THE ARMED FORCES TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI

03.

O.A.No. 45 of 2011

Hony Capt Ram Singh Yadav, SM

.....Petitioner

Versus

Union of India & Ors.

.....Respondents

For petitioner: Sh. K. Ramesh, Advocate.
For respondents: Sh. Anil Gautam, Advocate.

CORAM:

HON'BLE MR. JUSTICE A.K. MATHUR, CHAIRPERSON.
HON'BLE LT. GEN. M.L. NAIDU, MEMBER.

ORDER
31.01.2011

1. The petitioner by this petition has prayed that the respondents may be directed to grant Maha Vir Chakra (Posthumous) as recommended by Col. SBN Janardhanan, the then Commanding Officer of 3rd Battalion The Rajput Regiment for an act of gallantry in the presence of the enemy in terms of Para 693 of Regulations of the Army.

2. The grant of posthumous award does not fall in the jurisdiction of this Tribunal. It is always the matter of authorities to examine whether it is a fit case to grant Maha Vir Chakra or not. But the grievance of the petitioner is that he has not been informed about the fate of the recommendation which has been made by the Commanding Officer for grant of Maha Vir Chakra. It is for the respondents to decide it. It is not for us to pass any orders on this. However, whatever necessary

information which petitioner seeks, he may apply through the Right to Information Act, 2005. Consequently, the petition is dismissed.

A.K. MATHUR
(Chairperson)

M.L. NAIDU
(Member)

New Delhi
January 31, 2011