

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

8.

**MA 794/2018 in OA 566/2018**

**Lt Cdr Bikash R Nayak (Retd.)**

..... Applicant

**Versus**

**Union of India &Ors.**

..... Respondents

**For petitioner** : Mr.Aditya Singh Puar, Advocate

**For respondents** : Mr.Avdhesh Kumar Singh, Advocate

**CORAM:**

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

**HON'BLE LT.GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**15.05.2018**

**MA 794/2018**

Vide this application, the applicant submits that this Court has the jurisdiction to entertain the OA as part of cause of action has arisen at Delhi inasmuch as the applicant had filed first appeal and the order rejecting his claim for disability pension was communicated from New Delhi. That being so, since the part of cause of action has arisen at Delhi. This Tribunal has jurisdiction to entertain O.A.

2. In view of the above, MA is allowed.

**OA 566/2018**

1. Admit.

2. Issue notice to the respondents.

3. Mr. Avdhesh Kumar Singh, Advocate accepts notice on behalf of the respondents and seeks time to file counter affidavit. Let the same be filed within six weeks' with an advance copy to counsel for the applicant. Rejoinder, if any, be filed within four weeks thereafter.

4. List before the Principal Registrar on **07.09.2018** for completion of pleadings.

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

**(LT.GEN. PHILIP CAMPOSE)**  
**MEMBER (A)**