

**COURT NO. 1, ARMED FORCES TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**

44.

**OA 2811/2021 with MA 2804/2022 & MA 2997/2021**

**Rect Lok Ram (Retd)**

**... Applicant**

**Versus**

**Union of India & Ors.**

**... Respondents**

**For Applicant** : Shri Manoj Kumar Gupta, Advocate

**For Respondents** : Shri Kumar Gaurav, Advocate

**CORAM :**

**HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON**  
**HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)**

**O R D E R**

**30.01.2023**

**M.A. No. 2804 of 2022 :**

Counter affidavit has been filed. There being delay in filing the same, this application has been filed seeking condonation of delay. Delay is condoned. Counter affidavit is taken on record. MA stands disposed of.

**OA 2811/2021 with MA 2997/2021 :**

Even though petitions have been allowed based on the law laid down by the Hon'ble Supreme Court in the case of **Sukhvinder Singh Vs. Union of India (2014 STPL (web) 468 SC)**, pertaining to invalidating out of service but the issue as to whether the same would also be applicable to a Recruit who is

in the process of training has been invalidated on the ground raised by the respondents in their counter affidavit, to consider that question, the matter be listed for hearing on **13<sup>th</sup> March 2023.**

**[JUSTICE RAJENDRA MENON]  
CHAIRPERSON**

**[REAR ADMIRAL DHIREN VIG]  
MEMBER (A)**

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