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

OA 716/2023

Col Amardeep Singh

... Applicant

Versus

Union of India & Ors.

...Respondents

For Applicant

Mr. S.S. Pandey, Advocate

For Respondents

Gp Capt Karan Singh Bhati, Sr. CGSC

CORAM:

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER

This application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 by the applicant who is serving officer, being aggrieved by his substantive promotion to the rank of Brigadier w.e.f. 12.06.2020 and rank of Major General w.e.f. upon completion of 25 years of service w.e.f. 12.06.2022 and prays for the following reliefs:-

- a) Call for the records based on which Respondents have issued the policy dated 24.02.1992 thereby applying the medical condition as provided in terms of the Para 67 of the Regulations for the Army contrary to Rule 6 (iv) Survey of India (Group A Posts) Service Rules, 1989 and on the basis of which the Respondents have rejected the case of the Applicant for conferment of the Military Rank vide orders dated 26.04.2021, 01.09.2022 and order dated 06.02.2023 thereafter quash all such orders including the policy dated 24.02.1992 by adding the Shape factor as the additional criteria for conferment of the Rank contrary to the Statutory Rules.
- b) Direct the Respondents No. 3 to grant substantive promotion to the rank of Brigadier w.e.f. 12.06.2020 and rank of Major General upon

completion of 25 years of service with effect from 12.06.2022 in terms of Para 6 (iv) of Survey of India (Group A) Service Rules, 1989 with all consequential benefits.

Facts of the Case

2. Applicant was commissioned in the Corps of Engineers in Indian Army on 12.06.1997 with date of seniority fixed as June 1997, and was promoted to the rank of Colonel, while being permanently seconded to Survey of India. Aggrieved by the nongrant of substantive promotion to the rank of Brigadier and Major General, the applicant has approached this Tribunal.

Submissions on behalf of the Applicant

- 3. Ld. Counsel for the applicant submits that the applicant by a letter dated 13.-03.2005 was permanently seconded to Survey of India by approval of Ministry of Science and Technology, and that the Survey of India is an organisation which has two streams inter alia Civil and Defence for military purposes, and after being seconded, the applicant continued to be promoted from time to time till the rank of Colonel.
- 4. Drawing our attention on the non-promotion of the applicant to the rank of Brigadier, Ld. Counsel submits that the Deputy Surveyor General vide letters dated 22.05.2020, 06.07.2020 and 03.08.2020 intimated Respondents that the applicant shall be completing 23 years of commissioned service on 12.06.2020 and is

entitled to the substantive rank of Brigadier in terms of Para 6 (iv) of Survey of India (Group 'A' posts) Service Rules, 1989 and Ministry of Defence Letter No. 7(2)/83/D(W-II) dated 24.02.1992, but in response to which Respondents vide letter dated 09.10.2020 passed promotion order in respect of three officers but the name of applicant was excluded, and subsequently, vide letter dated 02.11.2020 Respondent No.3 intimated that since the Applicant was in a non-promotable category, his case for grant of substantive rank of Brigadier was not processed.

- 5. Explaining the factual matrix, Ld. Counsel submits that on 10.11.2020 Survey of India forwarded a letter dated 05.11.2020 to Secretary to Government of India (Ministry of Science and Technology) whereby it was intimated that the Applicant has already been promoted to the rank of Additional Surveyor General Senior Administrative Grade by UPSC and approved by Appointments Committee of the Cabinet, thereby, eligible for promotion to the rank of Brigadier having completed 23 years of commissioned service.
- 6. Ld. Counsel further elaborates that the said letter was specifically brought to the attention of the Respondents that on

numerous occasion in the past several officers have been granted substantive promotions despite being low medical category.

- 7. Arguing further, Ld. Counsel submits that the actions of Respondents of issuing order dated 24.02.1992 by adding an eligibility of medical criteria for conferment of Military Rank for the officers like the Applicant permanently seconded to the Survey of India who is already promoted to the equivalent Rank in Civil Post based on Statutory Rules of Survey of India (Group A Posts) Service Rules, 1989 which only adopted the service criteria.
- 8. Specifying the provisional mandate, Ld. Counsel submits that there is no provision in the Rules of delegation of power to the Respondents to issue any administrative order in derogation to the Rules which is the basis of issuance of orders denying grant of Military Rank to the Applicant repeatedly including order dated 06.01.2023 for which the parent department of the Applicant has repeatedly taken up the case with the Respondents.
- 9. Ld. Counsel further submits that it is the admitted case that the applicant is a permanently seconded Officer to the Survey of India which is under the control of the Ministry of Science and Technology and is governed by the common conditions of service including the promotion as applicable to both the streams of the

Survey of India - Military as well as Civil Stream on the basis of the Rules of the Survey of India (Group A Posts) Service Rules, 1989.

- 10. Ld. Counsel argues that it is also an admitted case that on the basis of said Rules, the applicant has been considered for promotion by UPSC and in 2020, his promotion has already been approved by the ACC based on which he is not only holding the post of Additional Surveyor General but also getting pay and allowances for the said, and that in terms of Rule 6(iv) of the GSR which contains a provision that for the purpose of conferment of the Military Rank he is required to have qualifying service of 23 years and 25 years for the Rank of Brigadier and Major General respectively as equivalence of military rank against the Civil post on the basis of qualifying service.
- 11. Submitting on the intention of Rule 6 (iv), Ld. Counsel submits that the Respondents have grossly misunderstood the import of Rule 6(iv) which is limited to safeguard the financial interest of the officers seconded to the Survey of India and in the garb of the said rule have issued an administrative order by which the Para 67 of the Defence Service Regulations for the Medical criteria for grant of substantive promotion to the different Ranks to the officers of the Regular Army working under the Ministry of

Defence have been incorporated in respect of the Officers of the Survey of India. This act thereby superimposes a medical criteria as an additional eligibility which are inapplicable to the Applicant in the garb of Rule 6(iv) which has no relevance in promotion of the Applicant.

- 12. Ld. Counsel further submits that the letter dated 24.02.1992 is an administrative letter in nature issued by the office having no authority to decide upon the promotional criteria for the officers like the Applicant. Notwithstanding the above, the said letter cannot override General Statutory Rules (GSR) which are statutory provisions and the complete code itself, and that the intervention of Respondent No.3 in denying the rightful promotion of the applicant premised upon such letter. It is thus illegal especially when the Parent Cadre of the applicant has repeatedly approached the Respondents for issuance or orders for grant of substantive rank to the applicant once he has completed his qualifying service.
- 13. Addressing the issue of discrimination, Ld. Counsel submits that the actions of the Respondents are selective and discriminatory in nature as on multiple occasions, officers who have been seconded to the Survey of India and were in low medical category

have been promoted to the next rank without any hindrance caused by the Respondents.

- Arguing on the applicability of the Regulations, Ld. Counsel 14. submits that the applicant upon being seconded to the Survey of his promotions were regulated by the Departmental Promotion Committee (DPC) which assesses the suitability of officers for promotion on the basis of service record with particular reference to the Annual Performance Appraisal Reports preceding five years only. The Annexure-II Rule 4 of the GSR also does not specifies anywhere about the fulfilment of any specific medical standard for such promotion of the such officers like the Applicant but only requires otherwise fitness to hold the said post and accordingly, his parent department has already taken up the case duly certifying that the Applicant is fully fit to hold the said post and in fact is holding the said post as on the date.
- 15. Ld Counsel further submits that the policies regulating promotions to the Regular Army Officers are not applicable to officers like the applicant who are permanently seconded to the Survey of India. The Respondents themselves acknowledge the fact while issuing the orders for rendition of the ACRs which is the basis for Military promotion which states that the same is not applicable

to the Officers permanently seconded to other organisations. Therefore, adding a condition of the medical category for conferment of the rank when such conferment of rank is only symbolic, and since such officers are merely kept in the supernumerary strength for the purpose of Rank is not in order. Since the Rank is peculiar to the three services of the Armed Forces which implies that the substantive posts in Survey of India are supernumerary and the promotion of the officers seconded to the Survey of India like the Applicant is not against the Army vacancies.

Submissions on behalf of the Respondents

- 16. Per Contra, Ld. Counsel for Respondents submits that the Survey of India (SoI) is the national survey and mapping organisation of the country, wherein Group A cadre of SoI consists of 50% Civil Officers (through UPSC) and 50% Permanent Seconded Army Officers, and the induction of Army Officers is done within 3-6 years of service bracket and is applicable for officers of Engineers, Signals & EME who meet the requisite QRs.
- 17. Elaborating further, Ld. Counsel submits that the Corps of Engineers Officers seconded to the Survey of India are governed by the Recruitment Rules and condition of service as laid out vide GSR 437, 1989, wherein Annexure II of the GSR deals with the

OA 716/2023 Col Amardeep Singh Vs UoI & Ors. conditions of service for Defence Officers. The Govt of India, Ministry of Defence vide letter no. 7(2)/83/D(W-11) dated 24.12.1992 has substantially clarified about the grant of substantive military ranks to the officers of Corps of Engineers seconded to SoI.

- 18. Explaining the contents of the letter dated 24.02.1992, Ld. Counsel submits that it clearly stipulates that the promotion of such seconded officers will be subject to fulfilment of provisions obtaining in regard to the length of service as laid down in Rule 6(iv) and the requisite medical standards will be given substantive military ranks as indicated in the GSR, on their being appointed to the equivalent civil posts from the dates of holding such posts.
- 19. It is further submitted by the Ld. Counsel for the Respondents that the provision for grant of substantive promotion by selection has been dealt in Para 67 of the Regulations for the Army, 1987 wherein the broad guidelines of acceptable medical category provided in Para 67(A)(b).
- 20. Explaining the applicability of aforesaid provision, Ld. Counsel submits that as per the ibid extracted provision, promotion of an officer whose permanent classification is A2 or P2 or H2E2 is not a rule but an exception subject to fulfilment of conditions

OA 716/2023 Col Amardeep Singh Vs UoI & Ors. specified therein, and since the applicant was in low medical category SHAPE-2x, the grant of substantive rank of Brigadier to the Applicant was not approved due to not meeting the QR.

21. Arguing on the issue of Reversion of Defence Officers back to Army, Ld. Counsel submits that the Ministry of Science & Technology vide their Office Order No. SM/01/01/2023 dated 20.03.2023 have issued the order that the Defence Stream Officers, transferred from the Corps of Engineers Officers to Survey of India on permanent secondment basis in accordance with the provisions of the 1989 rules, have been permanently reverted to Military Survey, Ministry of Defence, with effect from 31.03.2023, though Hon'ble Central Administrative Tribunal, Allahabad vide order dated 31.03.2023 in OA 237 of 2023 filed by SoI officers, stayed the aforesaid Office Order till next date of hearing.

Consideration

22. We have heard the arguments of both the sides and have perused the documents placed on record by both the parties including policy letters and office orders. After a detailed perusal, giving our thoughtful consideration to the same we find that the only short question for adjudication before us is whether the applicant is entitled for his promotion to the rank of Brigadier and

subsequently, Major General in view of rules and policies framed with respect to the same.

- 23. Proceeding to decide the issue under consideration on merits, it would be appropriate for us to refer to policy letters on the subject. We find that the promotion of Defence Officers in the Survey of India is governed by Survey of India (Group 'A') Service Rules, 1989 dated 26.05.1989
- 24. On a bare perusal, we find that Para 6(iv) of the aforesaid rules provide for the equivalence of ranks for the officers holding posts against the Defence Stream, and the same is reproduced as under:

(iv) The officers holding posts against the Defence stream would have the following equivalence of ranks.

Sl. Post of Group 'A' No . Service (Defence Stream)	The corresponding rank in Corps of engineers for the Purpose of Fixation of pay	Minimum No. of years of service for substantive rank
1	2	3
1. Junior Time Scale (Rs. 2200-4000) (Deputy Supertending Surveyor)	Captain	5 years
2. Senior Time Scale		
(Rs 3000-4500) (Superintending Surveyor	Majo r	11 years
3. Junior Administrative (Rs 3700-5000) (Deputy Director)	Lt Colonel	16 years
4. Non-functional Selection (Grade (Rs 4500-5700) (Directore/Deputy Director Selection Grade)	Col/Brig	20/23 years

5. Senior Administrative
Grade (Rs 5900-6700)
(Additional) surveyor
General/General
Manager)
6. Surveyor General
(Rs. 7300-7600)
(Whenever from

Defence Stream)

Major General

Lt General

25 years

28 years

Note:- Officers with minimum of 3 years commissioned service would be offered for permanent secondment in Suvrey of India.

** Officers with minimum 23 years of reckonable commissioned service would be given the rank of Brigadier.

- 25. It is undisputed that the applicant was promoted to the rank of Colonel on 26.12.2012 and he was eligible for grant of substantive rank of Brigadier on 12.06.2020, with minimum 23 years of reckonable service, with subsequent eligibility to the rank of Major General on 12.06.2022 and that he was being grant pay and allowances as per the extant rules fixed by Survey of India, and not by the Army.
- 26. Before proceeding to examine the employability restrictions imposed upon the applicant, we find it pertinent to Para 67 of the Regulations for the Army, 1987 of which sub-paragraph (A)(b) pertains to substantive promotion by selection to the rank of Lt Col and above, and the same is reproduced as under:

"67.Substantive Promotion by Selection:-

(A)(b) Substantive promotion by selection to the rank of Lt Col and above will be subject to the medical fitness of the officer concerned for active service and the permanent medical classification of an officer not being other than S1 H1 A1 P1 E1, S1 H2 A1 P1 E1 or S1 H1 A1 P1 E2. An officer whose permanent classification is S1 H1 A2 P1 E1, S1 H1 AI P2 El or S1 H2 AI P1 E2 may also be considered for promotion provided the following conditions are fulfilled:-

- (i) Such promotion would be in the public interest.
- (ii) In the opinion of a Medical Board:-
- (aa) the officer is capable of performing the normal active service duties of the rank to which he is, being promoted, in his present medical category.
 - (ab) any defect, disability, or disease, from which the officer is suffering, is not likely to be aggravated by service conditions, provided he is employed on duties compatible with this medical category and within the restrictions placed by the Board.
- 27. A bare perusal clarifies that there are indeed certain restrictions placed on the basis of medical category of an officer, but the reliance has been placed on the fact that an officer whose permanent classification is S1H1A2P1E1/S1H1A1P2E1/S1H2A1P1E2 may be considered for promotion, on the grounds that the officer is capable of performing the normal active service duties of the rank to which he is promoted, and the disability from which he/she is suffering is not likely to be aggravated by service conditions. For this relevance, it becomes more important is to refer to Sub-Para (c) of the aforesaid regulations:
 - (c) In exceptional cases, an officer in medical classification lower than the above, may also be considered for promotion, provided that:
 - (i) 'S' (Psychological) factor grading is not lower than 1
 - (ii) The condition in (b) (i) and (ii) are satisfied.
 - (iii) He is considered specially suitable and efficient."
- 28. From the analysis of Sub-para (c), we can find that in exceptional cases, an officer who is placed in medical classification lower than A2/P2/H2E2 can also be promoted, with conditions that 'S' i.e. Psychological factor is not lower than 1 and he is capable of

performing the duties of the promoted rank, and his disability is not likely to be aggravated, which in instant case fits on the applicant, who is an officer with SHAPE-2x permanent classification, with no posting requirement to any place of High Altitude or Extreme Cold Climate, since the office which he is supposed to hold has the highest location of Dehradun (2500 ft.).

- 29. When it comes to answer of the question that whether this case falls within such category of "exceptional cases", we find that the nature of work undertaken by the applicant is not a regular military duty, unlike other officers, who have to be medically fit, as a necessary and mandatory requirement to be a Brigade Commander, holding the rank of Brigadier, with field postings.
- 30. The fact that the Survey of India has been repeatedly writing to the Military Secretary Branch for grant of substantive rank to the applicant, and that the applicant is already undertaking the work of the post, for which the substantive rank has to be granted. There is an additional reasoning to support that the role of applicant in Survey of India is of much significance and importance, thereby, making it clear that the applicant is undertaking duty of civil nature and not military duty, and therefore, has to be treated as an exceptional case.

31. Furthermore, we cannot shy away from the fact that as a matter of past precedence, several seconded officers to the Survey of India have been granted substantive ranks of Brigadier as well as Major General, despite being placed under low medical category as has been clarified by the Surveyor General's letter dated 05.11.2020. Thus, the applicant cannot be carved out from the grant of the same benefit, when others have been granted that benefit, thereby, violating the principle of parity.

32. On further examination, we find that the COPE-2 grading awarded to the applicant is similar to the medical classification awarded to the applicant, with same employability restrictions, and that the justification regarding the employability conditions have been adequately justified by a letter from Surveyor General's Office dated 05.11.2020, the contents of which are reproduced herein:

SURVEY OF INDIA (MINISTRY OF SCIENCE & TECHNOLOGY)

Telefax: +91-135-2744064,. 2743331

Website www.surveyofndia.gov.in

SURVEYOR GENERAL'S OFFICE
"HATHIBARKALA ESTATE,P.B. - 37

DEHRADUN: 248001/(UTTARAKHAND)INDIA

Emai: sgoel.Soi @gov.in

No E1- 8007 11198-A(FPCSC) Dated 05: November, 2020

SUB: GRANT OF SUBSTANTIVE RANK OF BRIGADIER.

1. Please refer:-

(a) This officer letter No. E1-990/1198-A(FPCSC) dated 22 May 2020 (copy enclosed)

(b) This officer letter Nö. E1-1581/1198-A(FPCSG) dated 721 Sep 2020 (copy enclosed)

- (c) This officer letter No: E1-1637/1198-A(FPCSC) dated 08 Oct2020 (copy enclosed)
- (d) This officer letter No E1-1638/1198-A(FPCSG) dated 08 Oct 2020 (copy enclosed)
- (e) MS (X)s letter No.A/47352/SOU/MS(X) dated 09 Oct 2020 (copy enclosed)
- (f) MS(X)s letter NO. A/47352/SOI/MS(X), dated 92. Nov 2020 (copy enclosed)
- 2. 1C-59054Y, Cal Amardeep. Sinsh-of this office has not bean conferred the rank of Brigadier, owing to his medical category as per Ms (X)'s letter under reference at (f) above, Officer's present medical category is <u>SHAPE-2x with disability profile of P2 (P) for disability Primary Hypertension. and with COPE code 2</u>. For the relevant employability for the Military Duties the officer has been given the employability restriction on four CORE factors as mentioned below:
- (a)C2(a): Unfit for specific climate on terrain above 9000 15000.#.
- (b). 01: To be under periodic surveillance by nearest MO.
- (c)P1: Fit for all activities less than those involving prolonged extreme exertion.
- (d) E 2k: Monthly review by AMA, 03 Monthly review in Medical OPD.
- 3. As per Para A(a) of Annexure IV to Appendix 'E' Of A 9/2011/DGMs it an Officers Primary Hypertension (Essential Hypertension Grade 1) Is stabilized with two drugs and with no evidence of Dyslipidemla, Diabetes mellitus, Obesity or target organ damage, he is fit for all military duties in P2. category with Follow ups. Accordingly, the officer is fit for all military duties in medical classification. P2.
- 4. It is pertinent to mention here that the officer was seconded to Survey of India in Apr 2005, and the officer had been promoted to the post of Additional Surveyor General (Addl SG), Senior Administrative Grade (Jolt Secretary Level by UPSC and approved by Appointments Committee of the Cabinet (ACC) during 2020 and now with 23 years of service is eligible for the rank of Brigadier In accordance with Para G(ily) of Survey of India (Group 'A posts) Service Rules, 1989 and Ministry of Defence letter. No.7(2/83/D(W-i) dated 24 Feb 1992 (copy attached). There are 4 vacancies of Add SC (SAG, grade) for Army officers, seconded to Survey of India
- (a)01 x ADG as ADG Military Survey (MO GSGS); (b)03 x AddI SGs. in Survey of India
- 5. Addl SG in survey of India is a staff officer' appointment to the Surveyor General of India , and Is responsible for coordination, execution and management of Govts/ Surveyor Generals policies. on various administrative/ HR/ technical and financial matters of the department, while AbG Military Survey (MO GSGS) is a staff officer to the DGMO in the Army, The said employability does not.

"Involve extreme exertion.

- 6. The place of postings for Army/ civilian offrs in the grade of Addl Se: is fixed and are as under:-
- (a)Office of the Surveyor General of India, Dehradun
- (b)Southern Zone, Bengaluru
- (c)Northern Zone; Chandigarh
- (d) Western Zone, Jaipur
- (e)Eastern Zone, Kolkata
- (f)Central Zone, Jabalpur

(g)North-Eastern Zone, Shillong

(h)Indian Institute of Surveying & Mapping, Hyderabad Printing Zone, Hyderabad

(K)Specialized Zone, Dehradun

- (I).ADG Military Survey (MO GSGS), New Delhi (only for Army officers).
- 7. As evident from the above, none of the above mentioned locations, terrain of nature of employability would aggravate any existing medical condition of the offer and apropos, tor effective command and control and pertinent discharge of the duties by the officer, its strongly recommended that the officer should be granted the substantive rank of Brigadier, as the employability of the officer will not be affected by his present medical category.
- 8. Further, In the past too, several seconded officers have been granted substantive ranks, despite being placed under low: medical category. The following letters are attached:-

For grant of Substantive Rank of Brigadier

- (a) This office letter No. E1-4573/119B-A(FPCSC) dated 15. May 2002
- (6) HQ Central Command, Lucknow's letter No.351601/3/M-5(A) dated 01 Jul 2002
- (c) This office letter No E1-6758/1198-A(FPCS) dated 22 Jul 2002
- (a) This office letter NoE1-6759/1198-A(FPCSC) dated 22. Jul:2002
- (e) MS(X)'s letter: No. A747352/I/MS(X) dated 26 Jul 2002:

For grant of Substantive Rank of Major General

- (a)DST's Notification NO. SM/01/02/2006 dated 13 Mar 2008
- (b) This office letter No. E1-3595/1198-A (FPCSC) dated 13 Mar 2008
- (c) DST's Notification NO. A-01/32/2007- Admin.I (A) dated 24 Mar 2008
- (d) This office letter no. EI- 4297/1198-A (FPCSC) dated 28 Mar 2008
- (e)M&G GDC (Hyd Wing)'s letter NO. C-533/1-A- Geni dated 01 Apr 2008
- (f) MS(X)'s letter NO. A/4735/SOI/MS(X) dated 05 May 2008
- (g) MS(X)'s Letter No. A/47351/SOI/MS(X) dated 27 May 2008
- 9. Accordingly, you are requested to take up the case of officer's promotion to the rank of Brigadier with MS(X) as stated above.
- 10. Submitted for consideration and further necessary action please.
- 11. This issue with the approval of the Surveyor General of India.

Sd/-

(Arindam Gupta) Colonel Deputy Surveyor

General Copy to:-

ADG Mil Svy:- For information please with reference to MS (X) letter under reference at (f) above

33. Noting the fact that such employability restrictions have

OA 716/2023

nothing to do with the posting profile of the applicant, as he is neither scheduled to be posted to any HAA or CI Ops location, which could aggravate his disability, he is considered to fit for all activities less than those involving prolonged extreme exertion, a restriction which he has to be entrusted with to ensure his well being, along with other conditions like periodic surveillance, monthly review by AMA, quarterly review by Medical OPD being part of the regular medical process to ensure timely intervention of aggravation, if any. 34. As regards the MoD letter no. 7(2)/83/D(W-II) dated 24.02.1992, we find that the aforesaid letter is not an impediment as the same only talks about requisite medical standards to be a criteria for grant of substantive promotion, and statutory regulations specifically provided for an exception that can be carved out. As far as Office Order No. SM/01/01/2023 dated 20 March 2023 issued by Department of Science & Technology with respect to 'Permanent Reversion of Defence Stream Officers of the Survey of India Group A Service to Military Survey, Ministry of Defence' is concerned, we find that the said Office Order has been issued at a much later date to the date when the applicant became eligible for grant of substantive rank of Brigadier or even Major General. Therefore, since the said Office Order is under challenge

before the Hon'ble Central Administrative Tribunal, Allahabad, any adjudication upon that issue would not be judicially appropriate. Even otherwise, as observed above, the aforesaid Office Order has almost negligible impact on the promotion of the applicant.

Directions

- 35. Concluding in the light of aforesaid analysis, we quash the impugned order and we dispose off the present OA with following directions to the Respondents:
 - a) Applicant shall be granted substantive rank of Brigadier and Major General with original seniority as already approved by the Survey of India.
 - b) Respondents to issue requisite orders within four weeks of the pronouncement of this order.
- 36. Consequently, this OA is disposed of.
- 37. Pending miscellaneous application, if any, stands disposed of.
- 38. No order as to costs.

 Pronounced in the open Court on _____day of October, 2023.

(JUSTICE RAJENDRA MENON) CHAIRPERSON

> (LT GEN C.P MOHANTY) MEMBER (A)

> > OA 746/2023

Col Amardeep Singh Vs UoI & Ors.

/ps/