

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

3.

AT 7/2025 IN RA 20/2024 OA 193/2022 (RB, Jaipur)

Pokhar Mal Jat Ex Sgt & Ors. Applicant
Versus
Union of India & Ors. Respondents

For Applicant : In Person
For Respondents : None

CORAM


HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

ORDER
31.01.2025

AT 7/2025

Invoking the administrative jurisdiction of the Chairperson of this Tribunal under Section 27 of the Armed Forces Tribunal Act, 2007, the applicant has filed this application for transfer of review application bearing RA No.20/2024 pending before the AFT, Regional Bench at Jaipur to AFT, Principal Bench, New Delhi.

2. From the facts that have come on record, it is seen that the applicant had invoked the original jurisdiction of the Regional Bench, Jaipur under Section 14 of the Armed Forces Tribunal Act, 2007, seeking grant of disability benefits. The said OA was decided by the Regional Bench, Jaipur on 07.06.2024 and by a detailed order, the claim of the applicant had been rejected. The applicant feels that



rejection of his application was not proper and contrary to the Hon'ble Supreme Court's judgement. He, therefore, filed a review application bearing RA No.20/2024 before the Regional Bench at Jaipur which is pending. The review application has been filed under Section 18 of the Armed Forces Tribunal (Procedures) Rules, 2008 read in conjunction with Section 14 (4F) of Armed Forces Tribunal Act, 2007 and now in this application it is the contention of the applicant that as he will not get relief from the Regional Bench at Jaipur, he wants that the review application may be transferred and heard at the Principal Bench.

3. The principle governing the decision on review application is well settled. A review application is to be heard by the same Bench which passed the original order and if the Bench is not available then only the power available to the Chairperson is to constitute a separate Bench for hearing of the review application. That apart, even if one of the Members of the Bench which decided the original application is not available, a Bench can be constituted by nominating a new member along with the existing member who had decided the original application. In the present case, both the Members of the Bench who decided the original application bearing OA No.193/2022 are available in Jaipur, Regional



Bench and records indicate that they are hearing the review application also. The applicant feels that he will not get justice in the review application from the same Bench and wants the review application to be transferred to Principal Bench, New Delhi.

4. In my considered view, the aforesaid ground is not legally permissible. It simply amounts to Bench hunting and for the purpose of Bench hunting and hearing of a review application, I cannot exercise my administrative discretion and permit transfer of the review application. Therefore, the application being devoid of substance is dismissed.

5. With the aforesaid, the AT stands dismissed.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

Neha
AT 7/2025