

ISSUE

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

14.

OA 3676/2025 WITH MA 5442/2025

Sep Jadav Rahul Gopichand Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Rajesh Nandal, Advocate
For Respondents : Mr. Waize Ali Noor, Advocate

CORAM

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

ORDER

18.11.2025

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007, the applicant has filed this OA and the relief claimed in Para 8 reads as under:

(1) To issue an appropriate, Order or direction to the respondents to take a balanced view of applicants problem.

(2) Since the respondent No.3 itself is the sole deciding authority permitting him to join duty with immediate effect he be directed accordingly, and consider posting him to some other Mahar Battalion other than 12 Mahar Regiment or at Centre and

2. According to the facts that have come on record, the applicant was enrolled in the Mahar Regimental Centre at Saugor on 28.03.2011. On account of various factors, as detailed in this OA, it is reported that the applicant was sanctioned one month's leave from 14.03.2024 to 12.04.2024 and vide movement order dated 30.09.2024

directed him to report to 12 Mahar Regiment on completion of leave, however, he did not join his unit. The applicant now wants to join his unit and submits that he is not being permitted to join duties and the present OA has been filed seeking a direction to allow him to join duty.

3. On instructions, learned counsel for the respondents submits that the respondents have no objection in permitting the applicant to join duty. It is further submitted that if the applicant reports to his unit (12 Mahar Regiment) or to the Mahar Regimental Centre on any day within 15 days from today, they have no objection to allowing him to join duty, subject, however, to the rights available to the respondents to take appropriate action in accordance with the statutory rules and regulations.

4. Taking note of the aforesaid, we dispose of the OA with the following directions:

- a) If the applicant reports for joining duty either in his unit or at the Mahar Regimental Centre within 15 days from today, the Competent Authority shall permit him to join duty.
- b) Thereafter, liberty shall be available to the respondents to proceed in the matter in accordance with law with regard to the acts of

commission and omission on the part of the applicant.

5. With the aforesaid directions, the OA along with MA stands disposed of.

6. A copy of this order be given '*DASTI*' to both the parties.



[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[REAR ADMIRAL DHIREN VIG]
MEMBER (A)

/PS/
OA 3676/2025