

COURT No.2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

65.

OA 1793/2025

RHM (TIGM) Arvind Kumar Singh Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. S S Pandey, Advocate
For Respondents : Mr. D K Sabat, Advocate

WITH

66 TO 75

OA 1794/2025, OA 1800/2025, OA 1801/2025,
OA 1808/2025, OA 1812/2025, OA 1815/2025,
OA 1836/2025, OA 1837/2025, OA 1814/2025 and
OA 1841/2025

For Applicant : Mr. S S Pandey, Advocate
For Respondents : Ms. Barkha Babbar, Advocate with
Mr. Sushmit Mishra, Advocate
Mr. Vijender Singh, Advocate
Mr. Y P Singh, Advocate
Mr. J S Yadav, Advocate
Mr. F M Khan, Advocate and
Ms. Deepti Kathpalia, Advocate with
Ms. Shivani Yadav, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE LT GEN C. P. MOHANTY, MEMBER (A)

ORDER
16.09.2025

Pursuant to proceedings dated 02.07.2025 and 26.08.2025, on behalf of the applicant has been submitted the copy of the advisory no. A/43014/GS/AAD-6(Org/Est) dated 10.10.2025. The prayers made by the applicants in Sr. nos. 65 to 75 in OA 1793/2025, OA 1794/2025, OA 1800/2025,

OA 1801/2025, OA 1808/2025, OA 1812/2025, OA 1815/2025, OA 1836/2025, OA 1837/2025, OA 1814/2025 and OA 1841/2025 are similar and it is prayed to the effect:-

“(a) Call for the records including necessary orders /directions including the policy instructions based on which the cadre re-structuring of TIR, TIGM and TICC of WE/PE of Army Air Defence Units /Establishments was carried out by Respondents vide their impugned Advisory: WE dated 19.11.2024, awarding the vacancies reserved for TIR and TIGM to TICC and thereafter quash the same to the extent the existing vacancies of Naib Subedar/Subedar/Sub Maj of the other trade including TIGM has been illegally transferred to TICC and thereafter quash the same ;

(b) Direct the Respondents to carry out a holistic Cadre Review of all three Technical Instruction Cadres of TIR, TIGM and TICC as per WE/PE of Army Air Defence Units / Establishments keeping in mind creation of promotional avenues in TIGM and TIR in proportion and either allocate the vacancy to the TICC strictly as per the PE/WE of OpR Trade or if the extra vacancy is found to be necessary in organisational strength, same be adjusted by increasing the existing strength without affecting the trade of the Applicant.

(c) Direct the Respondents to promote the Applicant and other existing similarly situated persons of the TIGM Cadre to be granted promotion as per the PE/WE as existed prior to the advisory dated 19.11.2024.

(d) Pass such and other orders, as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.”

with interim prayers in Para-9 of the said OAs also being identical, which read to the effect:-

“In view of the facts and legal position as discussed above, issue necessary interim directions by staying the operation of the advisory dated 19.11.2024 to the extent of altering the vacancy position of the TIGM. In other words direct the Respondents to carry out any promotion of TICC Cadre to ensure the same does not use any vacancy as existed prior to 19.11.2024.”

2. On a consideration of the prayers and the contents of the OA as is also brought forth through averments made in Para-6 of the OAs, it is brought forth that the applicants have submitted that they are assailing the policy of the respondents and have thus not filed any Statutory complaint. Be that as it may, in as much as the applicants have assailed the policy of the respondents, we consider it appropriate that the OAs i.e. OA 1793/2025, OA 1794/2025, OA 1800/2025, OA 1801/2025, OA 1808/2025, OA 1812/2025, OA 1815/2025, OA 1836/2025, OA 1837/2025, OA 1814/2025 and OA 1841/2025 are treated as representations by the respondents, and it is so directed and these representations are directed to be disposed of vide speaking orders by the Competent Authority concerned of the respondents within a period of three months from today. In the event of the applicants being aggrieved even thereafter, they would be entitled to seek redressal in accordance with law.

3. The OAs i.e. OA 1793/2025, OA 1794/2025, OA 1800/2025, OA 1801/2025, OA 1808/2025, OA 1812/2025, OA 1815/2025, OA 1836/2025, OA 1837/2025, OA 1814/2025 and OA 1841/2025 are disposed of accordingly.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

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

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