

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

16.

OA 1797/2025

Lance Naik Ram Prakash Tiwari	.....	Applicant
Versus		
Union of India & Ors.	.....	Respondents
For Applicant	:	Mr. Vishal Kr. Singh, Proxy Counsel for Mr. Kavish Aggarwala, Advocate
For Respondents	:	Ms. Jyotsna Kaushik, Advocate

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

ORDER  
01.07.2025

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, the applicant has filed the present application. The relief sought is stated in Para 8 of the application, which reads as under:

*"8.1 Pass an order quashing the show cause notice dated 28.12.2024.*

*8.2 Pass an order directing strict action against the senior officials who have harassed the applicant.*

*8.3 Grant a compensation amounting Rs. 25,00,000/- (Rupees Twenty-Five Lakh Only) for the mental agony and harassment of the Applicant.*

2. A show cause notice was served upon the applicant on 28.12.2024 based on serious allegations made in a complaint submitted by Ms. Ankita Tiwari, wife of the applicant. The complaint relates to various instances of harassment and related issues. Instead of submitting a reply to the show cause

notice and clarifying his position, the applicant has approached this Tribunal seeking quashing of the said notice, primarily on the ground that the inquiry into the allegations made by his wife amounts to interference with his privacy and is unsustainable in law.

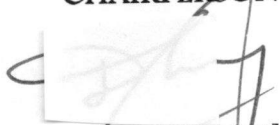
3. Having bestowed our anxious consideration to the material available on record including the allegations contained in the show cause notice and various ancillary issues we are of the considered view that at this stage it is not appropriate for us to step into the shoes of the authority which issued the show cause notice and initiated the inquiry proceedings. The applicant should raise the grounds canvassed in this application before the competent authority seized of the matter. In the first instance, it is for the competent authority to examine the various aspects and take appropriate action in accordance with law.

4. Finding no case for interference at the stage of issuance of the show cause notice pertaining to allegations of harassment, non-maintenance of spouse, etc. we are not inclined to interfere in the matter. Accordingly, the application is dismissed.

5. We are deliberately refraining from discussing in detail the various allegations made in the complaint submitted by the applicant's wife and the other material available on

record, as it may prejudice either the applicant or the complainant. At this preliminary stage when the matter pertains merely to a show cause notice, interference is unwarranted. Finding no case for interference, the OA stands dismissed.

  
[JUSTICE RAJENDRA MENON]  
CHAIRPERSON

  
[REAR ADMIRAL DHIREN VIG]  
MEMBER (A)

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