

issued

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

21.

OA 3239/2025

Sep Kuldeep Singh ..... Applicant  
Versus  
Union of India & Ors. .... Respondents

For Applicant : Mr. S S Pandey, Advocate  
For Respondents : Mr. Neeraj, Sr. CGSC With  
Mr. Rudra Paliwal, Advocate

CORAM

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

ORDER  
09.10.2025

Challenging the show cause notice issued to the applicant vide Annexure A1 dated 11.06.2023, the applicant has invoked the jurisdiction of this Tribunal.

2. A written complaint was submitted by a lady alleging that the applicant had contracted a plural marriage while in service. Consequently, a Court of Inquiry (CoI) was ordered. Based on the evidence recorded in the CoI, a *prima facie* case of the applicant having contracted a second marriage during service was found to be made out.

3. In exercise of powers conferred under Section 20 read with Rule 17 of the Army Rules, a show cause notice was issued to the applicant. The applicant has filed the present application challenging the said show cause notice primarily on the following grounds:

- a) That the entire CoI proceedings were conducted in English, a language unknown to the applicant;
- b) That he was unable to understand the proceedings and was not provided translated copies of the statements of witnesses or the proceedings in Hindi;
- c) That he was not afforded proper opportunity to defend himself;
- d) That the complainant allegedly had a history of blackmailing individuals, including the applicant.

4. The respondents, on advance notice, have raised preliminary objections. It is contended that interference at the stage of issuance of the show cause notice is not warranted. It is further submitted that the applicant was duly granted an opportunity to respond to the show cause notice, and he submitted his reply vide Annexure A2 dated 09.07.2025.

5. It is also pointed out by the respondents that the Competent Authority, after considering the applicant's reply, has already passed a final order on 25.09.2025 which has been duly communicated to the applicant. Accordingly, it is contended that as the show cause notice has culminated in a final order prior to the filing of this application, no further orders are called for in this matter.

6. Having heard learned counsel for the parties, we find that the show cause notice was issued to the applicant on 11.06.2025. The applicant submitted his reply to the same on 09.07.2025 (Annexure A2) which was in Hindi and its English translation is available on record from page No. 45.

7. Despite having submitted his reply on 09.07.2025, the applicant chose to invoke the jurisdiction of this Tribunal only on 07.10.2025. In contrast, the documents produced by the respondents clearly show that the Competent Authority has already passed a final order on 25.09.2025 after due consideration of the applicant's reply to the show cause notice and the said order has also been forwarded to the applicant.

8. In his reply to the show cause notice, the applicant had raised objections regarding his inability to understand English and the alleged non-supply of Hindi translations of the CoI proceedings. These contentions have been specifically considered and addressed by the Competent Authority in detail in Para 7 of the order dated 25.09.2025. In Para 7 of the order passed by the Competent Authority has found that "the proceedings of CoI have been recorded both in Hindi/Roman Hindi and not in English as claimed by the individual. It is further noted that having fully participated in

the proceedings of CoI which has been recorded in Hindi, the present contention of individual that he is unable to understand the contents of the CoI is product of afterthought”.

9. Taking note of the above and the fact that this application challenges only the show cause notice which has already culminated in a final order prior to the filing of the application, we find that no case is made out for interference at this stage. The application, therefore, is not maintainable. The applicant may, however, avail the statutory remedy available under the Army Act to challenge the impugned order before the Competent Appellate Authority and, if still aggrieved, may thereafter invoke the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007.

10. Accordingly, the OA stands dismissed.

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

[JUSTICE RAJENDRA MENON]  
CHAIRPERSON

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