

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

101.

OA 339/2025

Ex Cpl Purushothaman Patteri Wpn/Fit Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Rakesh Kumar Yadav, Advocate
For Respondents : Mr. Mohit Kumar Singh, Advocate

CORAM

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

ORDER
09.10.2025

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

(a) To issue necessary orders to the respondents to consider the applicant's OA for making necessary endorsement in the service records/Discharge book;

(i) Applicant's discharge book to be amended and mention change in the discharge clause from "dismissal" to "Discharge from Service" w.e.f. 05 Apr 1999 in the rank of Corporal , as ordered by AFT (RB) Lucknow on 05th October,2012, which was subsequently upheld by the Hon'ble Supreme Court of India.

(ii) Promulgation of NE POR for casualties, in respect of the applicant, as per Policy/Standard Operating Procedure (SOP) and vide letter No.Air HQ/99803/30/DAV-III (Adm) dated 17 Aug 2021, in respect of Ex- Airmen, NCS (E) and their spouse/dependents along with name of his spouse and children, as per their following details. ;

(a) ANOOPA KUYATTIL PANJIKAL (wife)
Date of Birth; 12-02-1978

(b) DEVARAG KUYATTIL PANJIKAL (Son).
Date of Birth: 11.10.2005

(c) ETASH KUYATTIL PANJIKAL (Son)
Date of Birth: 08.02.2007

(d) JANAKI PATERI (Mother)
Date of Birth: 14.05.1942

(e) LATE NARAYANAN VELIKKATH (FATHER)
Date of Birth: 21.12.1930 and died on

(iii) Updation of discharge book after POR of his Spouse and Children and reissue of the same to the applicant, to avail Ex servicemen benefits, as applicable, to him and his dependent's such as;

- (a) ECHS Card for self and dependents*
- (b) Dependent Card (for wife, 2 Children, Mother)*
- (c) Canteen Cards*
- (d) AFA Membership Card*
- (e) AFWA Membership Card*
- (f) AFGIS –(Only default enrollment amount)*
- (g) Disbursement of pending Provident Fund amount to the applicant herein with applicable interest.*

2. The brief facts of the case indicate that the applicant was dismissed from service and challenging his dismissal, he invoked the jurisdiction of this Tribunal in TA No. 764/2010 at Regional Bench, Lucknow of this Tribunal and Regional Bench, Lucknow by its order dated 05.10.2012 directed that the dismissal of the applicant be converted into discharge from service w.e.f. 15.04.1999 in the rank of Corporal.

3. The said order was challenged by the respondents before the Hon'ble Supreme Court through an SLP which was dismissed by the Hon'ble Supreme Court of India.

4. After dismissal of the SLP, in compliance with the order dated 05.10.2012 passed by this AFT, RB, Lucknow, the respondents were required to make necessary corrections in the discharge book of the applicant and issue a corrected discharge book incorporating the details as directed.

5. Despite repeated representations made by the applicant, no action was taken by the respondents. Consequently, the applicant again invoked the jurisdiction of this Tribunal.

6. When the matter came up for admission on 13.02.2025, notice was issued to the respondents, and they were directed to show cause as to why the prayer should not be allowed. *Prima facie*, this Tribunal was of the view that, in light of the order passed by the AFT, RB Lucknow and dismissal of the SLP by the Hon'ble Supreme Court of India, nothing survives in the matter, and only ministerial work remained i.e., issuing an amended or fresh service discharge book incorporating the corrections.

7. The matter was subsequently listed on 27.03.2025, 09.05.2025, 25.07.2025, and 22.08.2025 and is listed today. Despite the passage of more than seven months, the respondents have neither complied with the directions nor

informed the Tribunal of any valid reasons for non-compliance.

8. Today again, the respondents have prayed for further four weeks' time. However, we are not inclined to grant any further time. *Prima facie*, from the material available on record, it is evident that the applicant is entitled to the reliefs as prayed for in this application.

9. Accordingly, the OA is allowed. The respondents are directed to:

- a) Issue the corrected discharge book to the applicant after passing the necessary Part II Order (POR) incorporating the corrections as per the Tribunal order.
- b) Grant all consequential benefits, including:
- c) ECHS Card for self and dependents
- d) Dependent Card (for Wife and 2 Children , Mother)
- e) Canteen Card
- f) AFA Membership Card
- g) AFWA Membership Card
- h) AFGIS Member Card
- i) Disburse any pending amount in the Provident Fund Account, if applicable.

10. If, in respect of any specific benefit, the respondents are of the opinion that the applicant is not entitled, they shall: Issue a show cause notice to the applicant, provide an opportunity of hearing, and thereafter, pass a reasoned and speaking order in that regard.

11. This order shall be complied with in full within eight weeks from today.

12. With the above directions, the OA stands allowed and disposed of.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

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

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