

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

107.

OA 5326/2024

2nd Lt VP Damodar (Retd)	Applicant
Versus		
Union of India & Ors.	Respondents
For Applicant	:	Mr. Jatin Kadam, Advocate with Mr. Abhinav Kumar, Advocate
For Respondents	:	Mr. D K Sabat, Advocate

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HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)

ORDER
28.07.2025

The applicant, an 80 year old veteran, has invoked the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007. The reliefs sought by the applicant in Para 8 of the OA are as under:

(a) To direct the Director General of Canteen Services to renew the Canteen Smart Card and the Liquor Card of the applicant bearing Nos. GB05071473137200K00 and LB05071473137200K00 respectively.

(b) To grant any other relief as considered proper by this Hon'ble Tribunal.

2. The applicant was commissioned in the Indian Army on 15.03.1970 and was invalided out of service on 15.12.1971 on medical grounds. It is an undisputed fact that the applicant was granted the facility of accessing the Canteen Stores Department (CSD), including the issuance of

a Smart Card and a Liquor Card from the year 2014 onwards. The facility continued uninterrupted for ten years until the same was withdrawn by the impugned order dated 25.07.2024.

3. The applicant, now aged around 80 years, has approached this Tribunal seeking restoration of the said CSD facilities. The respondents have filed a detailed counter affidavit citing rules and regulations as the basis for discontinuation of the applicant's entitlement. However, we do not propose to adjudicate upon the legal issues raised on merit nor do we wish to enter into the controversy regarding eligibility criteria under applicable regulations.

4. Taking a humanitarian and sympathetic view of the matter, and bearing in mind that the applicant is an 80 year old senior citizen who had availed CSD facilities for a decade, we are of the considered opinion that the Union of India, as a model employer and a constitutional authority under Article 12 of the Constitution of India, ought not to engage in protracted litigation over such matters. This Tribunal is of the view that at the twilight of his life the applicant should not be deprived of such facilities particularly when he had been permitted to avail them for a considerable period.

5. Accordingly, without entering into the merits of the case and keeping all legal issues open for appropriate adjudication in any future proceedings, this Tribunal allows the present OA purely on humanitarian grounds and directs that:

a) The Canteen Smart Card and the Liquor Card facilities previously granted to the applicant and discontinued by the impugned order dated 25.07.2024 shall be restored to him;

b) The restoration shall be subject to the applicant clearing any legal dues in accordance with applicable rules.

6. This direction is passed solely in exercise of the statutory jurisdiction under Section 14 of the Armed Forces Tribunal Act, 2007 and should not be construed as a decision on the legal merits of the applicant's entitlement.

7. With the above observations, the OA stands disposed of.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[RASIKA CHAUBE]
MEMBER (A)