

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

3.

AT 22/2026 (OA 205/2025 RB, Chandigarh)

Ex. Major Mohin Nawaz Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Rajesh Sehgal, Advocate
For Respondents : Dr. V.S. Mahndiyan, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

ORDER
27.03.2026

AT 22/2026

This application has been filed by the applicant for transferring OA(Appeal) No.205/2025 which is pending before the Regional Bench, Chandigarh to the Principal Bench at New Delhi on the ground that while considering the Bail application of the applicant on 19.03.2025 in OA (Appeal) No.205/2025, the learned Judicial Member made certain observations which are reproduced by the applicant in para 4 of the MA and he argues that the observations made would clearly show that the learned Bench had made up its mind against the applicant on merits while dealing with the bail application and the conviction of the applicant would be confirmed. Alleging bias on the part of the Judicial Member, the applicant wants transfer of the matter.

2. In my considered view, the observations made by the learned Bench are confined strictly to the conduct of the applicant in relation to the offence in question and cannot, by any stretch of interpretation, be read as the indications contained in paragraph 9 of the Order dated 19.03.2025, as reproduced in paragraph 4 of the Miscellaneous Application.

The said observations read as under:-

“That surprisingly and shockingly, the Learned Chandigarh Bench in its order dated 19.03.2025 observed against the applicant which is reproduced as under:-

“It is clear that the Applicant-appellant has been found guilty of inducing his buddy to take a loan and utilizing the proceeds thereof for his personal benefit. A commissioned officer is not expected to act in such a manner that too where a simple Rifleman who was also from his Battalion, was concerned. The conduct of the Applicant-Appellant is reprehensible to say the least. The buddy was induced to take a loan as his credit rating was very poor as stated by PW-4 (Bank Official). Earlier loans taken from financial institutions like HDFC and ICICI Bank were defaulted upon. A perusal of the written statement also shows that in May 2021, the competent authority has awarded Severe Reprimand to the applicant-appellant for borrowing money from other officers which is prohibited by Para 337 of the Defence Services Regulations for the Army 1987 (Revised Edition), (hereinafter referred to as Regulations). Thus, the conduct of the applicant-appellant is not in keeping with the status of a Commissioned Officer. He has the propensity to acquire money by violating rules and committing illegalities.”

In my considered view, the aforesaid observations do not indicate any bias or prejudice against the applicant, which

warrants transfer of the matter. This Application is wholly misconceived which falls in the category of Bench hunting and such a permission cannot be granted. The Application is, therefore, rejected.



[JUSTICE RAJENDRA MENON]
CHAIRPERSON

/vb/