

Issued
12/1

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

7.

OA 3966/2025

Sea I (GW) Masoom Raja Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Ajit Kakkar, Advocate
For Respondents : Mr. Siddhanth Kohli, Advocate with
Mr. Shantanu Bhattacharjee, Advocate
with Cdr Shantanu Srivastava, Advocate.

CORAM

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

ORDER
06.01.2026

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

- (a) To set aside the Impugned letter dated 18.03.2025 and 11.06.2025;
- (b) To direct the Respondents to let the Applicant join the service;
- (c) To direct the Respondents to consider the Applicant's case with compassion and on humanitarian grounds, keeping in mind the hardships faced by him;
- (d) To grant such other relief appropriate to the facts and circumstances of the case as deemed fit and proper.

2. By the impugned order dated 18.03.2025 on the ground that the applicant is a deserter from the Indian Navy and warrant

of arrest has been issued, action is being taken for his arrest and appearance before the Competent Authority.

3. Learned counsel for the applicant submits that the applicant is willing to appear before the Competent Authority but no coercive action be taken against him.

4. Without entering into the controversy on merit and without going into various aspects of the matter, for the present, it is directed that the applicant shall appear before the Competent Authority, namely, Commanding Office of the Naval Base Depot Ship near the resident of the applicant or INS India, New Delhi on 20.01.2026 between 11A.M. to 02 P.M. On the applicant appearing before the Competent Authority, the Competent Authority shall permit the applicant to report to the unit concerned and thereafter, liberty shall be available to the Competent Authority to prosecute in accordance with law with regard to the acts of commission and omission (desertion of the applicant). With the aforesaid, for the present, OA stands disposed of.

5. A copy of this order is provided DASTI to learned counsel for both the parties.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[REAR ADMIRAL DHIREN VIG]
MEMBER (A)