

**ARMED FORCES TRIBUNAL, REGIONAL BENCH  
CHANDIGARH AT CHANDIMANDIR**

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**OA 467 of 2021**

**Monday, the 06<sup>th</sup> day of Feb, 2023**

**CORAM:**

**HON'BLE MR JUSTICE DHARAM CHAND CHAUDHARY, MEMBER (J)  
HON'BLE AIR MARSHAL MANAVENDRA SINGH, MEMBER (A)**

**Major Navpreet Singh Baath                    .....                    Applicant**

(By Mr Navdeep Singh, Advocate)

**Versus**

**Union of India and Another                    .....                    Respondents**

(By Mr Rohit Verma Sr PC)

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**ORDER**

**Justice Dharam Chand Chaudhary, Memembr(J), Oral**

In this application, the following reliefs have been sought to be granted:-

- (i) to issue 'Battle Casualty' certificate and grant consequential benefits in terms of Army Order No 1 of 2003(Annexure A-4).
- (ii) to pass any other and further order as deemed fit and proper in the given facts and circumstances of this case.

2. In reply to the Original Application, the stand of the respondents in Para 3 under the heading '**BRIEF FACTS & PRELIMINARY OBJECTIONS OF THE CASE**' reads as under:-

*“ The case in respect of Maj NS Baath was analysed as per relevant operating orders. The mandatory documents were asked for exam and processing the case for CI of case vide MP-5D letter No 12812/AG/OW/IC-70868X/MP-5(d) dt 21 Aug 2017, the requisite documents except C of I were received on 05 Oct 2017 vide 1 Archer (CDO) Letter No 15206/1A/Docu/A1 dt 23 Sep 2017. Thereafter manuscript/CTC of C of I was asked vide MP-5(d) letter No 12812/*

*AG/OW/IC-70868X/MP-5(d) dt 09 Oct 2017 and the same was received vide their letter No 15206/1A/Docu/A1 dt 30 Oct 2017. The C of I was returned as it was incomplete and it was asked for resubmission alongwith remarks of IG SFF. The C of I was received in original from 1 Archer (CDO) vide their letter No 20422/1A/A1/dt 11 Apr 2018 and the same was again returned to them with the observation vide MP-5 (d) Letter No 12812/AG/OW/IC-70868X/MP-5(d) dt 23 May 2018 for rectification. The C of I duly endorsed with clarification on the observation was received vide IG SFF letter No PC-15591/HQSFF/AG/Med/2014/4419 dt 29 Jun 2018. That again the C of I was returned to IG SFF due to inconclusiveness in identifying precise cause for injury vide letter No 12812/AG/OW/IC-70868X/MP-5(d) dt 24 Jul 2018. The court of inquiry is still pending for above clarification.”*

3. Meaning thereby that the claim of the applicant is under active consideration of the respondents. The counsel representing the applicant submits that the Court of Inquiry has been finalized and the matter qua issuance of `Battle Casualty Certificate` is under consideration of the respondents. The application, as such is disposed of with a direction to the respondents to consider the matter for the purpose of issuance of `Battle Casualty Certificate` and grant of consequential monetary benefits, if any to the applicant, within three months from the date of receipt of certified copy of this order by learned Senior Panel Counsel /OIC Legal Cell. Against surviving grievances, if any, of the applicant, he will be at liberty to approach this Tribunal again for redressal thereof.

4. This application is, accordingly, disposed of, so also the Misc Application(s), if any, pending.

**(Manavendra Singh)**

**Air Marshal (Retd)**

**Member (A)**

**06<sup>th</sup>Feb, 2023**

**SKS**

**(Justice Dharam Chand Chaudhary)**

**Member (J)**