

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 1. <u>OA- 12/2025</u> Smt Manwara Begum Applicant By legal practitioners for Applicant Tirthankar Das Shyamal Das Topeswar Das -Versus- UOI & Ors Respondents By legal practitioner for Respondents PK Garodia, CGSC <u>CORAM :</u> HON'BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J) HON'BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard Mr.Tirthankar Das, learned Counsel for the applicant and Mr.P.K.Garodia, learned CGSC appearing for the respondents. RMB and Weight Chart in respect of the applicant, in original, be produced by the respondents on the next date of listing. List the matter as and when this Bench reassembles next. (Lt Gen C. P. Mohanty) Member (A) (Justice U.C.Sharma) Member (J) Gm

As the respondents have recognized the applicant as legally wedded wife/widow of the late individual, the applicant is entitled for family pension from the date of demise of Pf Kaihrii, i.e., from 29.10.2021. Respondents are directed to process the case of the applicant to grant her family pension from 29.10.2021 with arrears along with 6 % interest and continue the same.

In this regard, after compliance, necessary PPO has also to be issued and same is to be filed before this Tribunal on the next date of listing.

List the case as and when this Bench reassembles next.

(Lt Gen C. P. Mohanty)
Member (A)

(Justice U.C.Sharma)
Member (J)

Gm

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 3. <u>OA- 05/2025</u> K Haiba @ K Haiba Jaochim Applicant By legal practitioners for Applicant S Pfokrelo Puni Sani Smt Mercy Min NP Haibila -Versus- UOI & Ors Respondents By legal practitioner for Respondents PK Garodia, CGSC <u>CORAM :</u> HON'BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J) HON'BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard Smt Mercy, learned Counsel for the applicant through Video Conferencing and Mr.P.K.Garodia, learned CGSC appearing for the respondents in person. From the perusal of the record, it transpires that after the death of the individual Hav.Kanbing John, his widow Smti.R. Lucy was getting family pension which was stopped after her death on 21.4.2015. This petition has been filed by the son of the late individual and his widow R.Lucky, who is eligible for family pension up to the age of 25 years. He is entitled to family pension from 22.04.2015 till his attaining the age of 25 years.

From the perusal of the application dated 22.1.2026 by OIC, Maj SRO, Record, the Kumaon Regiment, it transpires that the applicant has been asked to submit copy of Aadhar Card and PAN card along with family pension claim form. It appears that there is no other claimant and if required papers are submitted to this effect the applicant shall be held eligible for grant of family pension from date of death of his mother, i.e, from 22.4.2015.

In the aforementioned circumstances, applicant's counsel is directed to send the copy of Aadhar Card and Pan Card of the applicant along with family pension claim form duly filled in by the applicant to the Records, the Kumaon Regiment immediately. After receipt of the said documents the Records, the Kumaon Regiment will process the claim of the applicant for grant of family pension from 22.4.2015 till the date of attaining the age of 25 years.

List the matter as and when this Bench reassembles next for further orders.

(Lt Gen C. P. Mohanty)
Member (A)

(Justice U.C.Sharma)
Member (J)

Gm

**ARMED FORCES TRIBUNAL,
REGIONAL BENCH, GUWAHATI**

4.

OA- 06/2025

Ex Sigmn Purna Kanta Kurmi

..... Applicant

By legal practitioners for Applicant
Anup Ranjan Tahbildar

-Versus-

UOI & Ors

..... Respondents

By legal practitioner for Respondents
PJ Barman, CGSC

CORAM :

HON'BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER

19.08.2026

Heard Mr.A.R.Tahbildar, learned Counsel for the applicant and Mr.P.J.Barman, learned CGSC appearing for the respondents.

Both the learned Counsel are of the view that the Judgment in ***Lt.A.K.Thapa Vs. UoI (SLP No.24309/2025)*** pending before the Hon'ble Apex Court will enlighten the Bench to decide the matter in correct form.

Hence awaiting decision of Lt.A.K.Thapa's case, list the matter as and when this Bench reassembles next.

(Lt Gen C. P. Mohanty)
Member (A)

(Justice U.C.Sharma)
Member (J)

 Gm

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 5. <u>OA- 25/2024</u> Ex NK Zamkhokam Kuki Applicant By legal practitioners for Applicant Anup Ranjan Tahbildar -Versus- UOI & Ors Respondents By legal practitioner for Respondents Pranjal Sharma, CGSC <u>CORAM :</u> HON'BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J) HON'BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard Mr.A.R.Tahbildar, learned Counsel for the applicant and Mr.Pranjal Sharma, learned CGSC appearing for the respondents. At the request of the learned Counsel for the respondents, the case is adjourned. List the case as and when this Bench reassembles next. (Lt Gen C. P. Mohanty) Member (A) <i>Gm</i> (Justice U.C.Sharma) Member (J)

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 6. <u>OA- 21/2024</u> Smt Padma Devi alias Padma Bista Chhetri Applicant By legal practitioners for Applicant S Pandey S Thapa A Joshi N Kharsentry P Chetri R Chandap P Ghosh -Versus- UOI & Ors Respondents By legal practitioner for Respondents Dipanjali Bora, CGSC <u>CORAM :</u> HON'BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J) HON'BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard Mr.A.Joshi, learned proxy counsel for Mr.S.Pandey, learned Counsel for the applicant and Mrs.Dipanjali Bora, learned CGSC appearing for the respondents. Learned proxy counsel seeks time. Time granted. List the matter as and when this Bench reassembles next. (Lt Gen C. P. Mohanty) Member (A) <i>Gm</i> (Justice U.C.Sharma) Member (J)

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 7. <u>OA- 08/2025</u> Smti Dhan Kumar BC Applicant By legal practitioners for Applicant Amit Joshi Punam Sunar Srijana Sharma Gewali Ruma Paul Shwetha Paul -Versus- UOI & Ors Respondents By legal practitioner for Respondents PK Garodia, CGSC <u>CORAM :</u> HON'BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J) HON'BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard Mr.Amit Joshi, learned Counsel for the applicant and Mr.P.K.Garodia, learned CGSC appearing for the respondents. Learned Counsel for the applicant seeks time to file rejoinder. One more opportunity is granted to file the same. List the matter as and when this Bench reassembles next. (Lt Gen C. P. Mohanty) Member (A) (Justice U.C.Sharma) Member (J) <i>Gm</i>

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 9. <u>OA- 03/2024</u> Ex-Nk Philem Ibungo Singh Applicant By legal practitioners for Applicant AR Tahbildar -Versus- UOI & Ors Respondents By legal practitioner for Respondents PK Garodia, CGSC CORAM : HON`BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)</b> <b>HON`BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard learned counsel for both the parties. 2. Respondents are directed to place on record the posting profile of the applicant consequent to his injury caused on 12.03.2012. 3. List the matter when the Bench reassembles next. (Lt Gen C. P. Mohanty) Member (A) (Justice U.C.Sharma) Member (J) <i>kk</i>

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 10. <u>OA- 35/2022</u> Ex Rect Sabbir Ahmed Applicant By legal practitioners for Applicant Alakananda Chakrabarty. -Versus- UOI & Ors Respondents By legal practitioner for Respondents PK Garodia, CGSC <u>CORAM :</u> HON'BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J) HON'BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard Ms.Alakananda Chakrabarty, learned Counsel for the applicant and Mr.P.K.Garodia, learned CGSC appearing for the respondents. Awaiting the decision of Hon'ble Apex Court in case of <i>Lt.A.K.Thapa Vs. UoI & Ors (SLP 24309/2025)</i>, this matter is adjourned. List the matter after the decision of Hon'ble Apex Court in case of <i>Lt.A.K.Thapa Vs. UoI.</i> (Lt Gen C. P. Mohanty) Member (A) (Justice U.C.Sharma) Member (J) <i>Gm</i>

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 12. <u>OA(A)- 06/2022</u> Ex-Rfn Anil Chandra Nath Applicant By legal practitioners for Applicant Vipin Kumar Sachitra Bora P Borah -Versus- UOI & Ors Respondents By legal practitioner for Respondents Dipanjali Bora, CGSC <u>CORAM :</u> HON`BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)</b>  <b>HON`BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard learned counsel for the parties. 2. We have gone through the record and learned counsel for the applicant is advised to prefer amendment petition for conversion of his dismissal into discharge. 3. The competent authority of Assam Rifles to decide the case within the period of 03 months. 4. List the case when the Bench reassembles next. (Lt Gen C. P. Mohanty) (Justice U.C.Sharma) Member (A) Member (J) <i>kk</i>

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI
13.	<u>OA- 15/2019</u> With MA-<u>21/2019</u>
	Mrs Sonabi Begum Applicant By legal practitioners for Applicant Zahangir Hussain (Legal Aid counsel) Moynul Hoque
	-Versus-
	UOI & Ors Respondents By legal practitioner for Respondents PJ Barman, CGSC RA Choudhury RA Mazumdar (Resp.No.10)
	<u>CORAM :</u> HON'BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J) HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)
	<u>ORDER</u>
	<u>19.08.2026</u> Heard Mr.Zahangir Hussan, learned legal aid counsel for the applicant and Mr.P.J.Barman, learned CGSC appearing for the respondents. Learned counsel for the applicant informed that he just came to know that the applicant has died on 4.5.2025 and he seeks time to move substitution application. Delay condonation application along with application for quashing of abatement be also filed by the next date. List the case as and when this Bench reassembles next.
	(Lt Gen C. P. Mohanty) Member (A) Gm (Justice U.C.Sharma) Member (J)

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 14. <u>OA(A)- 24/2023</u> Sahajan Ahmed Laskar Applicant By legal practitioners for Applicant SB Laskar HA Laskar AH Ahmed -Versus- UOI & Ors Respondents By legal practitioner for Respondents Dipanjali Bora, CGSC <u>CORAM :</u> HON`BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)</b> <b>HON`BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard learned counsel for the both sides. 2. This Bench is a casual Bench and only one day remains. 3. This case relates to SGCM for which sufficient time is required for hearing. 4. Hence list the case as and when the regular Bench is available. (Lt Gen C. P. Mohanty) Member (A) (Justice U.C.Sharma) Member (J) kk

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 15. <u>OA(A)- 30/2023</u> Sub(RT) Brijesh Kumar Sharma Applicant By legal practitioners for Applicant Amit Joahi Punam Sunar Srijana Sharma Gewali Nilam Gurung -Versus- UOI & Ors Respondents By legal practitioner for Respondents PJ Barman, CGSC <u>CORAM :</u> HON`BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)</b> <b>HON`BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard learned counsel for the both sides. 2. This Bench is a casual Bench and only one day remains. 3. This case relates to GCM for which sufficient time is required for hearing. 4. Hence list the case as and when the regular Bench is available. (Lt Gen C. P. Mohanty) Member (A) (Justice U.C.Sharma) Member (J) kk

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 16. <u>OA- 20/2024</u> Ex Sep DY Kongam Anal Applicant By legal practitioners for Applicant AR Tahbildar -Versus- UOI & Ors Respondents By legal practitioner for Respondents PJ Barman, CGSC <u>CORAM :</u> HON`BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)</b>  <b>HON`BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard learned counsel for the parties. 2. During the course of the argument, learned counsel for the applicant empathises on Sec 20(3) of the Army Act r/w Rule 17 of Army Rules 1954. According to him 'only in case of conviction of the criminal case by the criminal court/Court Martial, there is no need to provide opportunity of hearing to the concerned individual otherwise the applicant has to be provided time to defend himself prior to the passing of order of dismissal. 3. In this case, the applicant has been administratively dismissed from service on the charge of desertion. Learned counsel for the applicant further emphasised that para 10 of the affidavit filed by Capt Munish Kumar on behalf of the respondents states otherwise. According to him, no opportunity of hearing was provided to the applicant before his dismissal from service in terms of Rule 17 of the Army Rules 1954.

4. On the basis of above, learned counsel for the applicant argued that since there is violation of principle of natural justice enumerated u/s 23 of the Army Act, read with Rule 17 of the Army Rules 1954, the impugned order of dismissal of the applicant is not sustainable in law.
5. Learned counsel for the applicant places reliance on the judgment of AFT, (RB), Kochi in OA-185 of 2014 of dated 15.08.2016 in Mathai Thomas Vs. UOI & Ors.
6. In the aforementioned circumstances, it will be appropriate to summon the records⁰ regarding dismissal/termination of the applicant.
7. List when the Bench reassembles next.

(Lt Gen C. P. Mohanty)
Member (A)

(Justice U. C. Sharma)
Member (J)

kk

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 17. <u>OA- 03/2025</u> EX Hav H. Zarzokima Applicant By legal practitioners for Applicant Anup RanjanTahbildar -Versus- UOI & Ors Respondents By legal practitioner for Respondents PK Garodia, CGSC <u>CORAM :</u> HON`BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)</b> <b>HON`BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> On the request of the learned counsel for the respondents, adjourned for providing the posting profile of the applicant. 2. List when the Bench reassembles next. (Lt Gen C. P. Mohanty) Member (A) (Justice U.C.Sharma) Member (J) kk

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 18. <u>OA- 38/2024</u> Ex Sep Sasang Vaiphei Applicant By legal practitioners for Applicant G Khupchinpao UOI & Ors Respondents By legal practitioner for Respondents Dipanjali Bora, CGSC <u>CORAM :</u> HON`BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)</b> <b>HON`BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Learned counsel for the respondents informed that the applicant's counsel has sought adjournment. 2. Adjourned. 3. Last opportunity is given to file the rejoinder. 4. List when the Bench reassembles next. (Lt Gen C. P. Mohanty) Member (A) (Justice U. C. Sharma) Member (J) kk

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 19. <u>OA- 07/2025</u> Smt Kanga Elizabeth Applicant By legal practitioners for Applicant AR Tahbildar UOI & Ors Respondents By legal practitioner for Respondents Dipanjali Bora, CGSC <u>CORAM :</u> HON`BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)</b>  <b>HON`BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard learned counsel for both the parties. 2. Learned counsel for the respondents submits that this case is similar to Lt AK Thapa Vs UOI in SLP No. 24309/2025 which is pending for adjudication in the Hon`ble Apex Court. 3. List the matter when the Bench reassembles next. (Lt Gen C. P. Mohanty) Member (A) (Justice U.C.Sharma) Member (J) kk

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI
20.	<u>OA- 13/2022</u>
Ex- SWR Sukumar Roy	 Applicant By legal practitioners for Applicant Rupam Jyoti Sarma Nisha Moni Borah
UOI & Ors	 Respondents By legal practitioner for Respondents PK Garodia, CGSC S Dutta S Haque H Das (Counsels for Resp No.5)
<u>CORAM :</u> HON`BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)</b> <b>HON`BLE LT GEN C.P. MOHANTY, MEMBER (A)	
<u>ORDER</u>	
<u>19.08.2026</u>	
Heard learned counsel for the parties.	
2. Records produced by the respondents are in original including the RMB proceeding which have been perused by us and same returned.	
3. Respondents are directed to place on record photocopy of the same during the course of the day.	
4. Heard at length.	
5. Judgment reserved.	
(Lt Gen C. P. Mohanty) Member (A)	(Justice U.C.Sharma) Member (J)
kk	

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 21. <u>OA- 14/2024</u> Ex- Rect Lallian Chin Applicant By legal practitioners for Applicant Anup Ranjan Tahbildar UOI & Ors Respondents By legal practitioner for Respondents PK Garodia, CGSC <u>CORAM :</u> HON`BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)</b>  <b>HON`BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard Mr.A.R.Tahbildar, learned Counsel for the applicant and Mr.P.K.Garodia, learned CGSC appearing for the respondents. Both the learned Counsel are of the view that the Judgment in <i>Lt.A.K.Thapa Vs. Uoi (SLP No.24309/2025)</i> pending before the Hon`ble Apex Court, will enlighten the Bench to decide the matter in correct form. Hence awaiting decision of Lt.A.K.Thapa's case, list the matter as and when this Bench reassembles next. (Lt Gen C. P. Mohanty) Member (A) <i>Gm</i> (Justice U.C.Sharma) Member (J)

Notes of the Registry	Orders of the Tribunal
	'ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI
22.	<u>OA(A)- 54/2016</u>
Ex- Nk Paongam	 Applicant By legal practitioners for Applicant Hemanta Saikia Bulbul Hussain Khan
UOI & Ors	 Respondents By legal practitioner for Respondents PK Garodia, CGSC
 CORAM : HON`BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J) HON`BLE LT GEN C.P. MOHANTY, MEMBER (A)	
<u>ORDER</u>	
 <u>19.08.2026</u>	
When the case is called out, none appears for the applicant.	
2. Adjourned.	
3. List when the Bench reassembles next.	
(Lt Gen C. P. Mohanty) Member (A)	(Justice U.C.Sharma) Member (J)
 <i>kk</i>	

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 23. <u>OA- 15/2024</u> Ex- Hav Alok Paul Applicant By legal practitioners for Applicant Rupam Jyoti Sarma Manikangkana Goswami UOI & Ors Respondents By legal practitioner for Respondents PK Garodia, CGSC <u>CORAM :</u> HON'BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J) HON'BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard Mr.Rupam Jyoti Sarma, learned Counsel for the applicant and Mr.P.K.Garodia, learned CGSC appearing for the respondents. Learned Counsel for the applicant seeks time to provide copy of the rejoinder to learned counsel for the respondents. Time granted. List the case as and when this Bench reassembles next. (Lt Gen C. P. Mohanty) Member (A) <i>Gm</i> (Justice U.C.Sharma) Member (J)

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 24. <u>OA(A)- 30/2022</u> With MA-16/2022 SmtPushpa Shrikant Applicant By legal practitioners for Applicant Rupam Jyoti Sarma UOI & Ors Respondents By legal practitioner for Respondents PK Garodia, CGSC <u>CORAM :</u> HON'BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J) HON'BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard Mr.Rupam Jyoti Sarma, learned Counsel for the applicant and Mr.P.K.Garodia, learned CGSC appearing for the respondents. Learned Counsel for the applicant seeks time to file rejoinder. Time is granted. List the matter as and when this Bench reassembles next. (Lt Gen C. P. Mohanty) Member (A) <i>Gm</i> (Justice U.C.Sharma) Member (J)

**ARMED FORCES TRIBUNAL,
REGIONAL BENCH, GUWAHATI**

25.

OA- 07/2022

Ex-Rfn Birendra Singh

..... Applicant

Vs

**By legal practitioners for Applicant
Vipin Kumar
Sachitra Bora
P Borah**

UOI & Ors

**..... Respondents
By legal practitioner for Respondents
Dipanjali Bora, CGSC**

CORAM :

**HON`BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)
HON`BLE LT GEN C.P. MOHANTY, MEMBER (A)**

ORDER

19.08.2026

This application has been filed u/s 21 of the AFT Act, 2007 by the applicant seeking the following relief:-

- (a) To quash and set aside the impugned order dated 20 Nov 2029.
- (b) To direct the respondent authorities to convert the impugned dismissal order dated 20 Nov 2009 into discharge/compulsory retirement and extend/grant the pension and pensionary benefits w.e.f. 28 July 2004 considering the fact that the applicant had served 17 years 2 months 27 days under the Assam Rifles Authority.
- (c) To direct the respondents to do consequential re-fixation of pay as on date after grant relief at Para 8.2 above.
- (d) The cost of the application.
- (e) Any other relief(s) as the Hon`ble Tribunal may deem fit and proper.

2. Heard rival submissions of the learned counsel of both the parties.

3. It is essential to observe the direction of the Hon'ble High Court of Meghalaya vide which it was directed that the applicant seeks recourse from the appropriate channel and while passing the same order, the Hon'ble High Court has not expressed any opinion in this matter. The order dated 17.03.2021 of Hon'ble High Court of Meghalaya is reproduced below –

"Ms P. Roy, learned counsel for the petitioner prays that she may be allowed to withdraw the instant writ application with liberty to approach the appropriate forum for the redressal of the petitioner's grievances.

Not objected to by the learned counsel for the respondents.

Prayer is allowed.

Accordingly, petition stands closed on withdrawal, however with liberty as prayed.

Matter stands accordingly disposed of."

4. Today when the matter was taken up for hearing, it was the submission of the learned counsel for the applicant that since the Court of Inquiry has been conducted as per Sec 106 of the Army Act 1950 to investigate into the circumstances under which the applicant was absent and Court of Inquiry had declared him to be deserter w.e.f. 28.04.2004 and therefore, the issue is within the definition of service matter as per AFT Act and the same can be decided on its merit by this Tribunal.

5. Per contra, it is submitted by Maj Shridhar, HQ DGAR, OIC Legal Cell representing DG Assam Rifles that this Tribunal has not been empowered to decide the case as it is not a service matter as per Sec 14 of the AFT Act due to the factum that the applicant has been dismissed from service having been declared a deserter and not having reported back under the provisions of Sec 4(a) of Assam Rifles Act, 1941 and by the order of HQ DG Assam Rifles letter No 3100771/BS/A-07/2248 dated 20 Nov 2009.

6. In consideration of the rival submission we are of the considered view that this OA is not maintainable under the AFT Act for the purpose. Even if the Court of Inquiry has been done under the provision of Sec 106 of the Army Act, the applicant has been dismissed from service under Assam Rifles Act, the cause and action arises therefrom and hence the same is not the subject matter within the framework of Sec 14 of the AFT Act.

7. Accordingly, we dispose of the matter with liberty to the applicant to withdraw the said OA and seek recourse in this matter as per law by approaching the appropriate judicial forum.
8. With the above observations, this OA is disposed of.

(Lt Gen C. P. Mohanty)
Member (A)

(Justice U. C. Sharma)
Member (J)

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**ARMED FORCES TRIBUNAL,
REGIONAL BENCH, GUWAHATI**

26.

OA- 41/2018

Smt Vanlalruati

..... Applicant

By legal practitioners for Applicant

PD Nair

G Alam

H Rahman

SRA Naser

S Goyal

AR Tahbildar

UOI & Ors

..... Respondents

By legal practitioner for Respondents

PJ Barman, CGSC

CORAM :

HON'BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)

HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER

19.08.2026

When the case is called out, none appeared for the applicant.

2. From perusal of the record it transpires that on several times the applicant's counsel has not appeared.

3. On 19.03.2026, last opportunity was given to the applicant or his counsel. Even today also none appears for the applicant.

4. Hence case is dismissed for non-prosecution.

(Lt Gen C. P. Mohanty)
Member (A)

(Justice U.C.Sharma)
Member (J)

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Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 27. <u>OA- 10/2024</u> Brigadier Jogersh Chandra Talukdar(Retd) Applicant By legal practitioners for Applicant Col D S Bhattacharyya Sarat Kumar Saikia UOI & Ors Respondents By legal practitioner for Respondents PJ Barman, CGSC <u>CORAM :</u> HON'BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J) HON'BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> Heard Mr. D.S. Bhattacharyya, learned Counsel for the applicant and Mr.P.J.Barman, learned CGSC appearing for the respondents. Learned Counsel for the applicant submits that despite of order dated 20.03.2026 of this Tribunal, Post Discharge Medical Board (PDMB) has not been held by the respondents even though five months have passed. We direct that PDMB shall be held at 151 Base Hospital, Guwahati within 06 weeks and report be submitted to this Tribunal on the next date. List the case as and when this Bench reassembles next. (Lt Gen C. P. Mohanty) Member (A) (Justice U.C.Sharma) Member (J) <i>Gm</i>

Notes of the Registry	Orders of the Tribunal
	ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI 28. <u>OA- 02/2023</u> Ex-LD Melin Singpho Applicant By legal practitioners for Applicant Subrata Choudhury UOI & Ors Respondents By legal practitioner for Respondents Pranjal Sharma, CGSC <u>CORAM :</u> HON`BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)</b>  <b>HON`BLE LT GEN C.P. MOHANTY, MEMBER (A) <u>ORDER</u> <u>19.08.2026</u> None appears for either party. 2. However, Capt Rhea Sanyal, OIC, AFT Legal Cell has informed that the counsel for the respondents is not well. Hence adjourned. 3. List when the Bench reassembles next. (Lt Gen C. P. Mohanty) Member (A) (Justice U.C.Sharma) Member (J) kk

**ARMED FORCES TRIBUNAL,
REGIONAL BENCH, GUWAHATI**

29.

OA- 11/2024

Smti Priyanka Hazarika Nair

..... Applicant

By legal practitioners for Applicant
Subrata Nath
Fahad Faridi
Gaurab J Sharma
Kunjalata Das
Bhanita Bora

UOI & Ors

..... Respondents

By legal practitioner for Respondents
PK Garodia, CGSC

CORAM :

HON`BLE MR. JUSTICE UMESH CHANDRA SHARMA, MEMBER (J)
HON`BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER19.08.2026

When the case is called out none appears for the applicant.

2. Last opportunity is given to the applicant.
3. List the case when the Bench reassembles next.

(Lt Gen C. P. Mohanty)
Member (A)

(Justice U.C.Sharma)
Member (J)

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