

**Notes of the
Registry**

Orders of the Tribunal

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

3

OA-20/2023

Sri Rajib Rabidas

..... **Applicant**

By legal practitioners for
Applicant.

BK Das

HP Guwala

-Versus-

UOI & Others.

..... **Respondents**

By legal practitioner for
Respondents.

PJ Barman

CORAM:

**HON'BLE MR. JUSTICE SUDHIR MITTAL, MEMBER (J)
HON'BLE AIR MSHL BALAKRISHNAN SURESH, MEMBER (A)**

ORDER

10.10.2023

The applicant is an "Agniveer (GD)". During training he suffered a knee injury and needed to be hospitalized. After treatment, the medical authority sent him on sick leave for 4 weeks, whereafter he re-joined the training. He was taken on strength, but subsequently discharged under Rule 13 of the Army Rules, 1954 on the ground that he missed more than 30 days of training.

Learned counsel for the applicant submits that the applicant could not attend the training for more than 30 days due to reason beyond his control and thus the order of discharge is illegal.

Notice. PJ Barman, learned Counsel for the respondents accepts notice and seeks time to file reply.

Prayer is accepted. Reply to be filed within 06 weeks and rejoinder thereto be filed within 04 weeks thereafter.

List the matter when this Bench meets next.

(Air Mshl Balakrishnan Suresh)
MEMBER (A)

(Justice Sudhir Mittal)
MEMBER (J)

Kk/gm