

ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI

4. **OA-39/2022**

Ex-Rect Mahid Hussain & 01 other

..... **Applicant**

By legal practitioners for
Applicant.

Hariom Gupta

RK Singh

RJ Sarma

-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

11.10.2023

1. The applicant/applicants were dismissed from service under section 20 of the Army Act, 1950 for fraudulent enrolment. The domicile certificates submitted by the applicant/applicants have been found to be fraudulent.

2. From the facts it transpires that the domicile certificates of the candidates recruited at a Recruitment Rally conducted at Tenga District (AP) between 20.11.2018 and 26.11.2018 were initially found to be genuine. However, vide order dated 13.09.2019 issued by the office of the Deputy Commissioner, Lohit, the recruitment authorities were intimated that the domicile certificates were forged/fabricated as there was no supporting record available in the office. Consequently, show

cause notices were issued to the candidates. Replies submitted were scrutinised and not found satisfactory and order of termination was passed. The said order is under challenge in the present Original Application.

3. It further transpires that the district authorities have taken a different stand in a Declaratory Suit filed by the candidates. The domicile certificates were stated to be genuine documents.

4. In view of the contradictory reports on record, we deem it appropriate to direct the Dy.Commissioner, Tezu, Lohit District/ Dy.Commissioner of the successor district to conduct a fresh enquiry in association with the Director Recruiting Army regarding the genuineness/authenticity of the domicile certificates in question.

5. Entire record available shall be scrutinized while conducting the enquiry. Report shall be submitted within 06 months from today.

6. A copy of the order to be given dasti to the learned counsel for the respondents on payment of usual charge.

(Air Mshl Balakrishnan Suresh)
MEMBER (A)

(Justice Sudhir Mittal)
MEMBER (J)

MC/GM

ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI

3. **OA-40/2022**

Ex-Rect Mukesh Sharma & 04 others

..... **Applicant**

By legal practitioners for
Applicant.
Hariom Gupta
RK Singh
RJSarma

-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

11.10.2023

For orders, see order dated 11.10.2023 passed in OA-39 of
2022

**(Air Mshl Balakrishnan Suresh)
MEMBER (A)**

**(Justice Sudhir Mittal)
MEMBER (J)**

MC/GM

ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI

5. **OA-14/2022**

Rect/MT Chandeep Kr Baitha

..... **Applicant**

By legal practitioners for
Applicant.
Hariom Gupta
RK Singh
RJ

Sarma

-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

11.10.2023

For orders, see order dated 11.10.2023 passed in OA-39 of
2022

**(Air Mshl Balakrishnan Suresh)
MEMBER (A)**

**(Justice Sudhir Mittal)
MEMBER (J)**

MC/GM

ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI

6. **OA-15/2022**

Rect Rohit Kr Yadav

..... **Applicant**

By legal practitioners for
Applicant.

Hariom Gupta
RK Singh

-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

11.10.2023

For orders, see order dated 11.10.2023 passed in OA-39 of
2022.

(Air Mshl Balakrishnan Suresh)
MEMBER (A)

(Justice Sudhir Mittal)
MEMBER (J)

MC/GM

ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI

7. **OA-16/2022**

Rect Vipin Yadav

..... **Applicant**

By legal practitioners for
Applicant.
Hariom Gupta
RK Singh

-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

11.10.2023

For orders, see order dated 11.10.2023 passed in OA-39 of
2022.

**(Air Mshl Balakrishnan Suresh)
MEMBER (A)**

**(Justice Sudhir Mittal)
MEMBER (J)**

MC/GM

ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI

8. **OA-17/2022**

Rect Mithilesh Kr Yadav

..... **Applicant**

By legal practitioners for
Applicant.

Hariom Gupta

RK Singh

-Versus-

UOI & Others.

..... **Respondents**

By legal practitioner for
Respondents.

B.Kumar

CORAM:

HON'BLE MR. JUSTICE SUDHIR MITTAL, MEMBER (J)

HON'BLE AIR MSHL BALAKRISHNAN SURESH, MEMBER (A)

ORDER

11.10.2023

For orders, see order dated 11.10.2023 passed in OA-39 of
2022.

**(Air Mshl Balakrishnan Suresh)
MEMBER (A)**

**(Justice Sudhir Mittal)
MEMBER (J)**

MC/GM

ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI

9. **OA-18/2022**

Rect/BR/MT Brijesh Kr Yadav

..... **Applicant**

By legal practitioners for
Applicant.
Hariom Gupta
RK Singh

-Versus-

UOI & Others.

..... **Respondents**

By legal practitioner for
Respondents.
B.Kumar

CORAM:

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

ORDER

11.10.2023

For orders, see order dated 11.10.2023 passed in OA-39 of
2022.

**(Air Mshl Balakrishnan Suresh)
MEMBER (A)**

**(Justice Sudhir Mittal)
MEMBER (J)**

MC/GM

ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI

10. **OA-19/2022**

Rect/Dvr/MT Rahul Singh Yadav

..... **Applicant**

By legal practitioners for
Applicant.

Hariom Gupta
RK Singh

-Versus-

UOI & Others.

..... **Respondents**

By legal practitioner for
Respondents.

B.Kumar

CORAM:

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

ORDER

11.10.2023

For orders, see order dated 11.10.2023 passed in OA-39 of
2022.

**(Air Mshl Balakrishnan Suresh)
MEMBER (A)**

**(Justice Sudhir Mittal)
MEMBER (J)**

MC/GM