

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI
Through Video Conferencing

1. ORIGINAL APPLICATION NO. 18 OF 2023

Lt Col RD Sharma

.. Applicant

Versus

Union of India & Ors.

.. Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>09.06.2025</u> <u>Hon'ble Mr. Justice Shailendra Shukla, Member (J)</u> <u>Hon'ble Lt Gen P. Gopalakrishna Menon, Member (A)</u></p> <p>On the case being taken up for hearing, AR Tahbildar, Ld. Counsel for the applicant and Mr. PJ Barman, Ld. Counsel a/w Major Bhaskar, Departmental Representative for the respondents are present through video conferencing.</p> <p>Submissions were heard.</p> <p>In this OA, the applicant has challenged the Censure order dated 31.03.2019 and has sought selection in Time Scale Colonel rank.</p> <p>During the course of submission, it has been mentioned that the order on Censure was issued on 31.03.2019 could have lasted only for two years and thus applicant was entitled for a look in atleast in March 2022 (First Review) and October 2022 (Final Review).</p> <p>Learned counsel for the applicant has also pointed out to para 13</p>

of judgment pronounced by AFT, RB, Chennai in OA No. 65/2014 as also para 13 of judgment pronounced in OA No. 52/2013 in both of which determination of culpability of applicant through Court of Inquiry had been found improper and if that be so, then applicant could not have been inculcated in GCM proceedings which was held against Col VV Bhaskar.

On perusal of the case, it also appears that there is no document which forms to the basis of Statement of Case against the applicant. Further, no Statement of Case against the applicant is placed on record. Moreover, this Tribunal also seeks to peruse the Selection Board proceedings of each of the instances of 22.09.2021 (Fresh case), March 2022 (First Review case) and Oct 2022 (Final Review case).

The Departmental Officer submits that as far as the Board proceedings are concerned, the same can be produced by MS Branch, New Delhi.

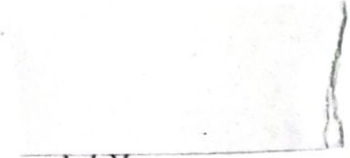
Considered. As no representative from MS Branch is present, direction is being made to facilitate production of proceedings by MS Branch through Maj Bhaskar. Maj Bhaskar shall forward copy of this order to MS Branch urging them to produce the aforesaid Board proceedings before this Tribunal on the next date.

The Departmental Officer shall also apprise this Tribunal on the next date regarding the absence of **"basis of Statement of Case"** and **"Statement of Case"** which resulted in issuance of Show Cause Notice


against the applicant.

Matter be listed for consideration on **01.07.2025** at 2:30 pm.

Copy of this order be provided "**Dasti**" to Maj Bhaskar,
Departmental Officer and also to Ld. Counsel for the applicant as prayed.


(Lt Gen P. Gopalakrishna Menon)
Member (A)

NJV/-


(Justice Shailendra Shukla)
Member (J)