

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI**

(Through Video-conferencing)

75. OA-08/2020 with MA-05/20

Ex-Cfn Lila Kanta Sharma
Versus
Union of India & Ors.

..... Applicant

..... Respondents

For the Applicant : Mr MintuSaikia, Advocate
For the Respondent : Mr PJ Barman, Advocate

CORAM:

**HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER (A)**

ORDER
06.01.2022

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act 2007, the applicant has filed this O.A seeking the following reliefs:

(i) Admit this petition, call for the records, issue rule calling upon the respondents to show cause as to why original application in the nature of unfair and/or any other appropriate order or direction of like nature shall not be passed directing the respondents authority to release pensionary benefit which was stopped just after three years from date of his discharge; and

(ii) Upon cause or causes being shown as after hearing the parties and/or pass any other order or orders as the Court may deem fit and proper.

2. The facts, in nutshell, indicate that the applicant was enrolled in the Army (Corps of EME) on 13.06.1972 and was discharged from service on 07.07.1975 having been found medically unfit for further service under Item III (iii) of the Table annexed to Rule 13(3) of the Army Rules, 1954. It is the case of the applicant that as he was discharged from service on being found medically unfit for

the respondents, if the applicant was discharged from service on account of disability attributable to Military service, he would have been granted disability pension, but now as he is not entitled to any disability pension he having not qualified for grant of pensionary benefits in terms of the Pension Regulations, particularly Regulation 132 of the Regulations for the Army, wherein pension is payable only to a person who has fifteen years of qualifying service, it is stated that the applicant is not entitled to any benefit. In the application, except for contending that he is entitled for pension after serving for a period of 03 years and 18 days, the applicant has not brought on record any material or document to show that he was discharged from service on account of any ailment, which was attributable to Military service.

4. Taking note of the totality of the circumstances, we are of the considered view that in this case, the delay of more than 54 years caused by the applicant has resulted in destruction of all the documents. The documents available on record only indicate that the applicant had rendered 03 years and 18 days of service. He has not qualified for grant of pension and there is nothing on record to show that he was discharged from service on account of any medical disability which was attributable to Military service.

5. Taking note of all these circumstances, we see no reasons to grant any relief or benefit to the applicant. The applicant having miserably failed to prove his claim for grant of pension, we dismiss the O.A without any order as to costs.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

87. OA-13/2020 with MA-09/20

Ex-Hav Neilal Vaiphei Applicant
Versus
Union of India & Ors. Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

**ORDER
06.01.2022**

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

56. OA-20/2017

Sub/Cik (SD) Raghunath Das ViswakarmaApplicant
Versus
Union of India & Ors.Respondents

For the Applicant : Mr Bijan Chakraborty, Mrs P Hazarika
For the Respondent : Mr PK Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER
06.01.2022

Pleadings are complete.

2. A written submission has already been brought on record. However, the matter, which was heard by another Bench, is not available now. The parties may make their submissions afresh in the next sitting. Respondents shall keep the records ready for our perusal at the time of hearing.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

19. MA(E)-13/21
(in OA-23/19)

Ex Sgt Ananta Mahisaya Das
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr. P.J.Barman

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

List the matter in the next sitting to enable the respondents to submit compliance report.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

MC/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

57. OA-18/2018

Lnk Jongshi Ao
Versus
Union of India & Ors.

.....Applicant

.....Respondents

For the Applicant : Mr Manas Sarania, Md. Sarif Uddin Ahmed
For the Respondent : Mr P Sharma

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in due course.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

52. OA-50/2019

Ex-Sep Mangpu
Versus
Union of India & Ors.

.....Applicant

.....Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr P Sharma

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER
06.01.2022

Pleadings are complete.

2. List in the next sitting for hearing.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

54. OA (A)-54/2016

Ex-Nk Paongam
Versus
Union of India & Ors.

.....Applicant

.....Respondents

For the Applicant : Mr Jalaluddin
For the Respondent : Mr PK Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER
06.01.2022

As the counsel for the applicant is not present, the matter stands adjourned.

2. List in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

83. OA-55/2019 with MA-37/19

Ex-Hav R Thumgaland Applicant
Versus
Union of India &Ors. Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Ms Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. As prayed by the learned counsel for the respondents, list the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI**

(Through Video-conferencing)

66. OA-41/2019

Ex-Sep Gin Khan Khup
Versus
Union of India & Ors.

.....Applicant

.....Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Ms Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

67. OA-42/2019 with MA-32/19

Ex-Cfn Sheinal Bungden Anal
Versus
Union of India & Ors.

.....Applicant

.....Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : MsDipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

SJI-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

SJI-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

62. OA-13/2019

Ex-Sub SN Angpol Lamkang NagaApplicant
VersusRespondents
Union of India & Ors.

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr PK Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER
06.01.2022

Pleadings are complete.

2. Copy of the counter affidavit be served on the learned counsel for the applicant within one week.
3. List in the next sitting for hearing.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

65. OA-40/2019

Ex-Sub Jonati Anal
Versus

.....Applicant

Union of India & Ors.

.....Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : MsDipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

**ORDER
06.01.2022**

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

42. OA-08/2019 with MA-05/19

Ex-Sep Tiatemsu

.....Applicant.

Versus

Union of India & Ors.

.....Respondents.

For the Applicant

: Mr BB Gogoi, RK Talukdar

For the Respondent

: Mr. PK Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

**ORDER
06.01.2022**

Counter affidavit to the rejoinder has been filed. Pleadings are complete. The matter has to be heard finally. Keep the records ready for perusal of the Tribunal at the time of hearing.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M. HARIZ)
MEMBER (A)

MC/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

45. OA-39/19 with MA-31/19

Ex-Hav VumkhanthangApplicant.
VersusRespondents.
Union of India & Ors.

For the Applicant : Mr KC Gautam, Mr. M Haldar

For the Respondent : Ms Dipanjali Bora

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

ORDER
06.01.2022

Pleadings are complete. Matter has to be heard finally.

2. List for final hearing in due course.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

MC/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

44. OA-27/2019

Smt Tribeni Deori

....Applicant.

Versus

Union of India & Ors.

.....Respondents.

For the Applicant

: Mr Zahangir Hussain, Legal Aid Counsel
Mr. Rupam Jyoti Sarma

For the Respondent

: Mr. PK Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

ORDER
06.01.2022

The learned counsel for the respondents prays for further four weeks' time to file rejoinder. The prayer is allowed.

2. List after four weeks.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

MC/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

40. OA-13/2021 with MA-10/21

Ex-Sep Jamkho Gam Applicant.
Versus Respondents.
Union of India & Ors.

For the Applicant : Mr AR Tahbildar
For the Respondent : Ms Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

ORDER
06.01.2022

Counter affidavit has been filed. Mr. AR Tahbildar, learned
counsel for the applicant shall file rejoinder, if so required.

2. List for final hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

MC/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

64. OA-34/2019

Ex-Sep Lallian Chin
Versus
Union of India & Ors.

.....Applicant

.....Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

As prayed by the learned counsel for the respondents, four weeks' time is granted to file additional affidavit.

2. List the matter thereafter.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

38. OA-10/2021

Ex-Nk Lalzathang
Versus

..... Applicant.

Union of India & Ors.

..... Respondents.

For the Applicant

: Mr A.R.Tahbildar

For the Respondent

: Mr. B. Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

ORDER

06.01.2022

Pleadings are complete. Matter has to be heard finally.

2. List for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

MC/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

39. OA-11/2021 with MA-09/21

Ex-Rect Hulang AK Roel Anal Applicant.
Versus
Union of India & Ors. Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr. P.K. Garodia

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

ORDER
06.01.2022

Counter affidavit has been filed. However, learned counsel for the applicant states that a copy of the same has not been served on him. The copy of the counter affidavit be served on the learned counsel for the applicant. Mr. AR Tahbildar, learned counsel for the applicant submits that he would file a rejoinder, if necessary, after going through the counter affidavit.

2. List for final hearing.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

33. OA 02/2021 with MA-02/2021

Sep Hriziliwo Applicant.
Versus
Union of India &Ors. Respondents.

For the Applicant : Mr. S. P. Thomas
For the Respondent : Mr. P. K. Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

ORDER
06.01.2022

Counter affidavit has been filed. The learned counsel for the applicant submits that he does not wish to file any rejoinder.

2. Pleadings are complete.
3. List for hearing in the next sitting.

Soli-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Soli-
(LT GEN P.M.HARIZ)
MEMBER (A)

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

24. OA 57/2019 with MA 39/19

Maj Aditya Sharma Applicant
Versus
Union of India & Ors. Respondents

For the Applicant : Mr. Manas Sarania
For the Respondent : Mr. P. Sharma

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

The learned OIC Legal Cell has submitted that on account of there being mutual divorce decree between the parties, nothing survives for adjudication in the matter. As the order for maintenance stands withdrawn on account of decree being passed, this shall be placed on record by the respondents by way affidavit and documents. Four weeks' time is granted for the purpose.

2. List in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

34. OA 05/2021 with MA-06/21

Ex Nk Kolni Anal Applicant.
Versus Respondents.
Union of India & Ors.

For the Applicant : Mr. A. R. Tahbildar
For the Respondent : Mr. P. K. Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

O R D E R
06.01.2022

Pleadings are complete.

2. List for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

36. OA 09/2021

Ex Lnk Mangeilian Vaiphei
Versus
Union of India & Ors.

..... Applicant.

..... Respondents.

For the Applicant : Mr. GJ Sharma
For the Respondent : Mr. PK Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

O R D E R
06.01.2022

Mr. G.J.Sharma, learned counsel for the applicant submits that he would file rejoinder to the counter affidavit during the course of the day, after serving a copy to the learned counsel for the respondents.

2. List for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/neh

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

25. CA-02/2020 (In OA-37/18)

Smt Yumlembam Geeta Leima Applicant
Versus
Union of India &Ors. Respondents

For the Applicant : Mr. A. R. Tahbildar
For the Respondent : Mr. P. K. Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

After the order passed by this Tribunal on 02.11.2021, Government sanction has been received by the respondent on 15.11.2021 but till date the PPO has not been issued. Six weeks' time has been sought for by the respondents for issuing the PPO. We grant four weeks' time to issue PPO. After the PPO being issued, this should be reflected on record and same be submitted to the Registrar of this Bench within four weeks. The Registrar shall forward the same to the Principal Registrar, New Delhi. In case we find that compliance has not been made within four weeks, coercive action would be taken against the Officer concerned for the default.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha



ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

28. OA 11/2020

Hav/Opr Rishi Kesh Kumar Applicant.
Versus Respondents.
Union of India & Ors.

For the Applicant : Mr. B. Pathak
For the Respondent : Mr. B. Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

O R D E R
06.01.2022

Respondents have filed counter affidavit. Rejoinder, if any, be filed within four weeks.

2. List the matter for hearing thereafter.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

29. OA 24/2020 with MA-16/2020

Ex Sep Loli Mao Applicant.
Versus
Union of India & Ors. Respondents.

For the Applicant : Mr. A. R. Tahbildar
For the Respondent : Mr. P. Sharma

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

O R D E R
06.01.2022

Respondents have filed counter affidavit. Rejoinder, if any, be
filed within four weeks.

2. List the matter for hearing thereafter.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

MC/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

61. OA-06/2019

Ex-Sep Barun Rajbongshi
Versus
Union of India & Ors.

.....Applicant

.....Respondents

For the Applicant : Mrs Rita Devi, Mr AR Tahbildar
For the Respondent : Mr PK Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

**ORDER
06.01.2022**

Pleadings are complete.

2. As prayed by Mr. PJ Barman, learned counsel for the respondents, case is adjourned.
3. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

41. MA (Exe)-01/2019

Ex-Rfn Satish Kumar Shukla
Versus
Union of India & Ors.

.....Applicant.
.....Respondents

For the Applicant : None
For the Respondent : Ms Dipanjali Bora

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER (A).

ORDER
06.01.2022

None appears for the applicant. Ms. Dipanjali Bora, learned counsel appears for the respondents. Rejoinder to the counter affidavit has not been filed by the applicant.

2. As none appears for the applicant, we adjourn the matter.
3. List in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

(LT GEN P.M.HARIZ)

Sd/-
MEMBER (A)

ARMED FORCES TRIBUNAL

REGIONAL BENCH

GUWAHATI

(Through Video-conferencing)

46. OA-16/2019

Ex-Hav Shibu Thampuran

....Applicant.

Versus

Union of India & Ors.

.....Respondents.

For the Applicant

: Mrs Barnali Kalita

For the Respondent

: Mr. P Sharma

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

ORDER

06.01.2022

As prayed for by learned counsel for the applicant, the matter is adjourned.

2. List the matter after four weeks.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M. HARIZ)
MEMBER (A)

MC/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

43. OA-28/2020 with MA-20/2020

Ex-Sep (MT) Jahidul Islam
Versus
Union of India & Ors.

....Applicant.

.....Respondents.

For the Applicant : Mr Zahangir Hussain, Legal Aid Counsel
Mr. Rupam Jyoti Sarma

For the Respondent : Mr. PJ Barman

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

ORDER
06.01.2022

The learned counsel for the applicant prays for further four weeks' time to file rejoinder. The prayer is allowed.

2. List after four weeks.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

50. OA-46/2018

Smt Vanlalremruati
Versus
Union of India & Ors.

.....Applicant.

.....Respondents.

For the Applicant

: Mr Anil Rinliana Malhotra & Associates

For the Respondent

: Mr PJ Barman

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

ORDER

06.01.2022

Appearing on behalf of the applicant, Mr. Rinliana Malhotra, Advocate seeks time to file *Vakalatnama* on behalf of the applicant and to argue the matter.

2. List after six weeks.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

MC/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

51. OA-19/2020

Ex-Hony Nb Sub NL Angkhun Anal Applicant
Versus Respondents
Union of India & Ors.

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr PJ Barman

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER
06.01.2022


Learned counsel appearing for the applicant prays for further time to file objection to the affidavit filed by the respondents. Four weeks' time is granted.

2. List the matter thereafter.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha



ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

37. OA-07/2021

Ex-Hony Nb Sub Khamkho Kam
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr. B. Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

ORDER
06.01.2022

Pleadings are complete. Matter has to be heard finally.

2. List for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)



**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

99. OA-28/2018

Ex-Sub Kamzathang Zou
Versus
Union of India & Ors.

..... Applicant

..... Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

1. OA 20/2021

Ex-Nk M.Ginjahang
Versus
Union of India & Ors.

.... Applicant.
..... Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr.B.Kumar

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

Heard Mr. A.R.Tahbildar, leaned counsel for the applicant and learned OIC Legal Cell for the respondents.

2. Issue notice. Learned OIC, Legal Cell accepts notice on behalf of the respondents. Let counter affidavit be filed within four weeks. Rejoinder, if any, be filed within two weeks thereafter

3. List the matter thereafter.

Sd/-
JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

2. OA 21/2021
Ex-Nk Thang Khan Hang Applicant.
Versus Respondents.
Union of India & Ors.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr.B.Kumar

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

Heard Mr. A.R.Tahbildar, leaned counsel for the applicant and the
OIC Legal Cell for the respondents.

2. Issue notice. Learned OIC, Legal Cell accepts notice on behalf of the
respondents. Let counter affidavit be filed within four weeks. Rejoinder, if any, be
filed within two weeks thereafter

3. List the matter thereafter.

(JUSTICE RAJENDRA MENON)
CHAIRPERSON

(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

47. CA-01/2020 in OA-05/2017

Ex-Sep PaokholunApplicant.
Versus
Union of India & Ors.Respondents.

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr. B Kumar

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

ORDER
06.01.2022

The respondents have issued the PPO vide Annexure A to the additional affidavit filed by respondent No. 5. However, the PPO has been issued making it effective from the year 2018, whereas the same should have been issued making it effective from the date of discharge i.e. 01.04.1995. Respondent No.5 is directed to issue a corrected PPO within four weeks, which will be forwarded to Respondent No.4 for necessary orders.

2. List after four weeks.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

MC/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI

(Through Video-conferencing)

21. CA-02/2021

(in OA 34/17)

Capt Vyom Kumar (Retd)

.... Applicant.

Versus

Union of India & Ors.

..... Respondents.

For the Applicant : Mr Rupan Jyoti Sharma

For the Respondent : Mr. B.Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R

06.01.2022

Learned OIC Legal Cell points out that after the dismissal of the SLP, the Government sanction has been received and PPO would be issued shortly.

2. Respondents are directed to issue the PPO within three weeks from today and submit compliance report to the Registrar of this Regional Bench, who will forward the same to the Principal Registrar, New Delhi. In case compliance report is not received within three weeks, we shall be constrained to take coercive action in the matter.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

55. OA-03/2017

Ex-Sep David Manga
Versus
Union of India & Ors.

.....Applicant

.....Respondents

For the Applicant
For the Respondent

: Mr KC Gautam, Mr D Gangte
: Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER
06.01.2022

Pleadings are complete.

2. As the counsel for the applicant is not present, the matter stands adjourned.
3. List in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

15.OA 17/2021

Ex Hony Nb NB Sub WNG Eliza Anal Applicant.
Versus
Union of India & Ors. Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr. P.K.Garodia

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

Mr. P.K.Garodia, learned counsel for the respondents submits that the reply affidavit is ready and he will be filing the same during the course of the day. If so advised, the applicant may file rejoinder within four weeks.

2. List after four weeks.

Spl/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Spl/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

30. OA 15/2021

Smt Phalunching
Versus
Union of India & Ors.

..... Applicant.
..... Respondents.

For the Applicant : Mr. A. R. Tahbildar
For the Respondents : Mr. P. J. Barman

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

O R D E R
06.01.2022

Even though counter affidavit has been filed, copy for the same has not been served on the counsel for the applicant. Let it be served within one week from today. Rejoinder, if any, be filed within four weeks thereafter.

2. List in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)**

26. OA 18/2020 with MA 11/20

Ex Nk Henkhosei Kuki Applicant.
Versus
Union of India & Ors. Respondents.

For the Applicant : Mr. A. R. Tahbildar
For the Respondent : Mr. P. Sharma

CORAM :

**HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).**

**O R D E R
06.01.2022**

Mr. A. R. Tahbildar, learned counsel for the applicant prays for four weeks' time to file rejoinder. Prayer is allowed.

2. List after four weeks.

Sd/-
**(JUSTICE RAJENDRA MENON)
CHAIRPERSON**

Sd/-
**(LT GEN P.M.HARIZ)
MEMBER (A)**

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

27. OA 56/2019

Ex- LAC Dwipjyoti Talukdar
Versus
Union of India & Ors.

..... Applicant

..... Respondents

For the Applicant : Mr. Abhishek Misra
For the Respondent : Mr. P. Sharma

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

O R D E R
06.01.2022

Counter affidavit has been filed by the respondents. Learned counsel for the applicant does not wish to file any rejoinder.

2. Pleadings are complete.

3. The matter be listed for final hearing in the next sitting of the Bench.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

16.CA-04/2019 (in OA-12/19)

Ex Sub Dhaneswar Saikia
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr. P.Sharma

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

Even though the respondents have issued the PPO, Mr. AR Tahbildar, learned counsel for the applicant wants to seek instructions and to file objection, if any, to the PPO. He is granted four weeks time. In the meantime, respondents shall file an affidavit bringing the PPO on record.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

49. OA-45/2018

Smt Nupui Renghlei
Versus
Union of India & Ors.

.....Applicant.

.....Respondents.

For the Applicant : Mr Anil Rinliana Malhotra & Associates
For the Respondent : Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

ORDER
06.01.2022

Appearing on behalf of the applicant, Mr. Rinliana Malhotra,
Advocate seeks time to file *Vakalatnama* on behalf of the applicant and
to argue the matter.

2. List after six weeks.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

MC/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

48. OA-44/2018

Smt LalbiaksangiApplicant.
Versus
Union of India & Ors.Respondents.

For the Applicant : Mr Anil Rinliana Malhotra & Associates
For the Respondent : Ms Dipanjali Bora

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

ORDER
06.01.2022

Appearing on behalf of the applicant, Mr. Rinliana Malhotra,
Advocate seeks time to file *Vakalatnama* on behalf of the applicant and
to argue the matter.

2. List after six weeks.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

MC/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

3. OA 22/2021

Ex-Nk L.Jamzanag Paite
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr. B.Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

Heard Mr. A.R.Tahbildar, leaned counsel for the applicant and
learned OIC Legal Cell for the respondents.

2. Issue notice. Learned OIC, Legal Cell accepts notice on behalf of the
respondents. Let counter affidavit be filed within four weeks. Rejoinder, if any, be
filed within two weeks thereafter

3. List the matter thereafter

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI**
(Through Video-conferencing)

100. OA-36/2018

Shri Shiva Thapa
Versus

..... Applicant

Union of India & Ors.

..... Respondents

For the Applicant : Mr Manik Chanda
For the Respondent : Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

98. OA-26/2018

Ex-Rct M Dinakanta Singh
Versus
Union of India & Ors.

..... Applicant

..... Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr PJ Barman

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

17. CA-01/2021
(in OA-12/2019)

Ex Sub Khamchinkhap Zou
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr.B.Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

Four weeks' time is granted to the respondents to file compliance
report.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI

(Through Video-conferencing)

18. OA-19/2021

Ex Hav Suresh Ch.Bora
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr. P.J.Barman

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

It is submitted by Mr. P.J.Barman, learned counsel representing the respondents that counter affidavit has been forwarded to him. Mr. Barman seeks for and is granted four weeks' time to file counter affidavit.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI

(Through Video-conferencing)

20.OA 21/2018

Smt Gina Gogoi

.... Applicant.

Versus

Union of India & Ors.

..... Respondents.

For the Applicant : None

For the Respondent : Ms Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R

06.01.2022

None appears for the applicant. Counter affidavit has been filed.

2. As none is appearing for the applicant, we adjourn the matter.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI

(Through Video-conferencing)

22.OA-16/2021

Smt D Zhiiloni

.... Applicant.

Versus

Union of India & Ors.

..... Respondents.

For the Applicant

: Mr A.R.Tahbildar

For the Respondent

: Mr. B.Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R

06.01.2022

Counter affidavit has been filed by the respondents. Mr. A.R.Tahbildar, learned counsel for the applicant submits that he shall go through the counter affidavit and if required, rejoinder would be filed within four weeks.

2. List thereafter.

Sdt-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sdt-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

23.OA-47/2019

Mrs Bharati Konwar Devi
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Mr Ashim Chamuah
Mr. PK Bhuyan
For the Respondent : Mr.P.Sharma

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

Counter affidavit has not been filed. Learned counsel for the respondents prays for four weeks' time more to file counter affidavit. The prayer is allowed.

2. List after four weeks.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI

(Through Video-conferencing)

76. OA-17/2019 with MA-29/19

Ex-Nk Nizam Uddin Mazumdar Applicant
Versus
Union of India & Ors. Respondents

For the Applicant : Mr AR Sikdar & Mr. N Ahmed, Advocates
For the Respondent : Mr P Sharma, Advocate

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal 2007, the applicant has filed this O.A and the reliefs sought in Para 7 of the O.A read as under:

- (i) Direct/command the respondents to grant pension and pensionary benefits to the applicant taking into account his service for more than 15 years of qualifying service and eligible for pension and pensionary benefits; and
- (ii) Investigate into the matter under Court's observation and after perusal of records of the case be pleased to pass an order granting relief as prayed and/or pass such order/orders as deem fit and proper in the interest of justice.

2. The facts, in nutshell, indicate that the applicant joined the Indian Army (Signal Regiment) as Sepoy on 13.10.1979. He was subsequently promoted to the rank of Naik. In 1995, while he was posted at 1st Jabalpur (Signal Regiment), 56 APO, Jabalpur, Madhya Pradesh, he went on leave due to illness of his wife and he was granted leave for 20 days from 19.09.1995 to 09.10.1995 by the authorities. It is

the case of the applicant that during the leave period, his wife died leaving behind a minor child and, therefore, he could not report for duty after the expiry of the leave period. The applicant was discharged from service in terms of Section 23 read with Rules 11 and 12 of the Army Rules. It is the case of the applicant that before his dismissal from service, he had completed 15 years of qualifying service and, therefore, in terms of Regulation 113B of the Regulations for the Army 1961, he is entitled to pensionary benefits and claiming the pensionary benefits, he has invoked the jurisdiction of this Tribunal.

3. It is the case of the applicant that after he was dismissed from service on 24.10.2005, he is entitled for the pensionary benefits. On 09.01.1998, he sent a representation in the form of an appeal against his discharge from service and claimed pensionary benefits due to him on the ground that he had served 17 years of service and thereby possessed the qualifying service of 15 years mandatory for entitlement of pension. When nothing was done, he again represented on 28.09.1999 and when nothing happened, he invoked the jurisdiction of this Tribunal in the year 2019 i.e. after 10 years. Contending, *inter alia*, that the applicant is entitled to pensionary benefits, it is stated that he had filed a writ petition before the Guwahati High Court in the year 2019, but as the High Court did not have jurisdiction, he withdrew the writ petition on 11.01.2019 and filed the present O.A. He also stated that in the light of the law laid down by the Hon'ble Supreme Court in *Deokinandan Prashad v. State of Bihar and others* (AIR 1971 SC 1407) and *D.S. Nakara and others v. Union of India* (1983 (1) SCC 305), the applicant is entitled to pension and by refusing to grant pension to the applicant, the respondents have committed a grave error.

4. On notice being issued, the respondents have filed a detailed reply and the case of the respondents is that the applicant was declared as a deserter with effect from 13.10.1995 and he was dismissed from service under Section 20(3) of the Army Act read with Rule 17 of the Army Rules being a deserter. It is the

further case of the respondents that the applicant had rendered 15 years and 250 days of qualifying service after execution of 84 days of non-qualifying service period. The respondents have also stated that since the applicant did not report for duty, a Court of Inquiry was conducted to inquire into the fact of his desertion with effect from 13.10.1995 vide Annexure R-III. The occurrence of desertion was published in the Part II order dated 17.12.1995 and on 26.06.1996 as per the final settlement account Annexure R4 finalized by the Pay and Accounts Office, Corps of Signal, the applicant was granted terminal credit balance of Rs 5,033/- and AFPP Fund balance of Rs 68,071/-. Even after the final settlement was made in the year 1996, he did not make any representation. According to the respondents, an individual who is dismissed from service under the provisions of the Army Act, 1950 or removed under the Rules made thereunder, as a measure of penalty, will be ineligible for pension or gratuity in respect of all previous services. The applicant was dismissed from service with effect from 24.10.2005 and he was not eligible for pension because his dismissal was under Section 20(3) read with Rule 17 on the ground that he was a deserter. Further, as his dismissal debars him from pension in accordance with Para 41 of the Revised Pension Regulations for the Army Part I (2008), it is the case of the respondents that the applicant is not entitled for any benefit. Para 41 of the revised Pension Regulations for the Army Part I (2008) reads as under:

An individual who is dismissed under provisions of Army Act, 1950 or removed under the rule made thereunder as a measure of penalty, will be ineligible for pension or gratuity in respect of all previous service.

5. Having heard the learned counsel for the parties and on consideration of the facts of the case, we find that the applicant has been dismissed from service under Section 20(3) of the Army Act read with Rule 17 of the Army Rules. Section 20 of the Army Act provides for "dismissal, removal or reduction" of a person governed by the Army Act and sub-section (3) of Section 20 provides for dismissal of any person other than an officer or a junior commissioned officer in terms of the

power conferred on the competent authority as detailed therein. The punishment of dismissal from service under Section 20 of the Army Act is by way of punishment for desertion and in this case, after holding a Court of Inquiry, action has been taken not only in terms of Section 20(3) of the Army Act, but also in terms of Rule 17 of the Army Rules, which provides the procedure for "*dismissal or removal*" of an officer under Section 20(3).

6 In the present case, it is seen that the applicant was dismissed from service under the statutory provisions on 24.10.2005 and till date, the applicant has not challenged the dismissal order. Even in this petition, the applicant claims pensionary benefits on the ground that he has completed the qualifying service. However, no prayer has been made for quashing the order of dismissal from service. Dismissal from service of the applicant is by way of punishment imposed upon him after a Court of Inquiry was conducted and he was treated as a deserter. Even in the documents filed by the applicant with regard to his discharge, he is shown to have been dismissed in terms of the statutory provisions. Once the Pension Regulations debar a dismissed employee from claiming pension, we see no reason to ignore the statutory provisions and grant pension to the applicant. The applicant can claim pension only after the disqualification attached to his dismissal or removal is removed. So long as the discharge or order of removal subsists, ignoring the same and in violation of the statutory provisions contained in Para 41 of the Revised Pension Regulations for the Army Part I (2008), pensionary benefits cannot be granted to the applicant. On being questioned as to whether the applicant has challenged the dismissal order, the counsel for the applicant was unable to respond to the query in a positive manner. On the contrary, in the pleadings available on record, there is nothing to indicate that the applicant had ever challenged his dismissal or removal from service and thereafter now as if the disqualification attached to his removal or dismissal is wiped out, he is claiming pension.

7 In the facts and circumstances of the case, as the statutory provisions debar grant of pension to the applicant, in this application in exercise of the jurisdiction under Section 14 of the AFT Act we cannot grant any relief to the applicant. The O A is devoid of merit and is dismissed. No order as to costs.

**(JUSTICE RAJENDRA MENON)
CHAIRPERSON**

**(LT GEN P.M.HARIZ)
MEMBER (A)**

Alex/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

68. OA-43/2019

Ex-Sub WS Wangam Anal
Versus
Union of India & Ors.

.....Applicant

.....Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Ms Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Vide Annexure G letter dated 17.07.2019, the Records Office, Kumaon Regiment has intimated the applicant the following:

"5. It is also intimated that case has already been taken up with IHQ of MoD (Army), Addl Dte Gen of Personnel Service (PS-4) to obviate the anomaly in pension between pre 01 Jan 2016 and post 01 Jan 2016 retirees vide this office letter No C1/812/SP (Rev) dt 07 May 2018 (Photocopy attached). No fresh Government Orders/Policy has been received till date."

2. Even though respondents have filed their counter affidavit and contended that the benefits cannot be extended to the applicant, nothing has been brought on record to indicate as to what has happened to the issue which was taken up with the IHQ of MoD and what decision has been taken after the issuance of Annexure G letter

dated 17.07.2019. Respondents to clarify and intimate as to what is the decision taken by the Army Headquarters pursuant to the communication made to the applicant vide Annexure G letter dated 17.07.2019 by filing an affidavit within four weeks.

3. Let a copy of this order be served on the learned counsel for the respondents for necessary compliance.

4. List the matter thereafter.


(JUSTICE RAJENDRA MENON)
CHAIRPERSON


(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

90. OA-20/2020 with MA-12/20

Ex-Sub Thangkhan Pao Joute

Versus

Union of India & Ors.

..... Applicant

..... Respondents

For the Applicant : Mr AR Tahbildar

For the Respondent : Ms Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

94. OA-25/2020 with MA-17/20

Ex-Sep Lookingstar Makri

..... Applicant

Versus

Union of India & Ors.

..... Respondents

For the Applicant : Mr AR Tahbildar

For the Respondent : Mr PJ Barman

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

95. OA-27/2020 with MA-18/2020

Ex-Nk Dharani Gohain
Versus
Union of India & Ors.

..... Applicant

..... Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

96. OA-03/2021 with MA-05/21

Lt Col K Ibohah Singh (Retd)

..... Applicant

Versus

Union of India & Ors.

..... Respondents

For the Applicant : Mr AR Tahbildar

For the Respondent : Mr PK Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

92. OA-22/2020 with MA-14/20

Ex-Rect KL Ngamshel Anal Applicant
Versus
Union of India & Ors. Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.


(JUSTICE RAJENDRA MENON)
CHAIRPERSON


(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

80. OA-37/2019 with MA-26/19

Ex-Nk Dipak Kr Barman Applicant
Versus
Union of India & Ors. Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha



ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

78. OA-10/2020 with MA-06/20

Smt Shyanda Rani Khatun Applicant
Versus
Union of India & Ors. Respondents

For the Applicant : Ms Alakananda Chakrabarty
Ms Mithu Dasgupta
For the Respondent : Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

79. OA-21/2019

Ex-Cfn Ranjit Gohain
Versus
Union of India & Ors.

..... Applicant

..... Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr PJ Barman

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

81. OA-44/2019

Ex-Sub BD Jacob Anal
Versus
Union of India & Ors.

..... Applicant

..... Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr PK Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. As prayed by the learned counsel for the respondents, list the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

59. OA-40/2018

LAC LD SinghApplicant
VersusRespondents
Union of India & Ors.

For the Applicant : Mrs Rita Devi, Mr AR Tahbildar
For the Respondent : Mr PK Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER
06.01.2022

Pleadings are complete.

2. List in the next sitting for hearing.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

58. OA-22/2018

Ex-Cpl Mohit Pantola
Versus
Union of India & Ors.

.....Applicant
.....Respondents

For the Applicant : Mrs Rita Devi, Mr AR Tahbildar
For the Respondent : Ms Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER
06.01.2022

As prayed by Mr. AR Tahbildar, learned counsel for the applicant, list the matter in the next sitting. In the meantime, respondents shall produce the record for our perusal when the matter is taken up for hearing in the next sitting.

2. Office to ensure that the records are made available to the Principal Bench at New Delhi.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

60. TA-03/2019 with MA-38/2019

Smt Hela Rani DasApplicant
Versus
Union of India & Ors.Respondents

For the Applicant : Mr Nurul Haque Mazumdar (Appeared before the
Ld Civil Judge, Hailakandi)

For the respondents : Ms Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete. Matter has to be heard finally.

2. List the matter in the next sitting for hearing.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

82. OA-51/2019

Smt Minneng Sittlou Applicant
Versus
Union of India & Ors. Respondents

For the Applicant : Mr S Pfokrelo, Mr Pni Sani
For the Respondent : Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022


Pleadings are complete.

2. As prayed by the learned counsel for the respondents, list the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha



ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

84. OA-61/2019 with MA-40/19

Ex-Hav Nule Daniel Anal Applicant
Versus
Union of India & Ors. Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. As prayed by the learned counsel for the respondents, list the matter for hearing in the next sitting.


(JUSTICE RAJENDRA MENON)
CHAIRPERSON


(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

85. OA-07/2020

Ex-Nb Sub Ritam Chandra Dey Applicant
Versus
Union of India & Ors. Respondents

For the Applicant : Mr DN Sarma, Mr GJ Sharma
For the Respondent : Mr PK Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

86. OA-12/2020

Ex-Hony Nb Sub A Losu Mao Applicant
Versus
Union of India & Ors. Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr B Kumar

CORAM :

**HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)**

**ORDER
06.01.2022**

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
**(JUSTICE RAJENDRA MENON)
CHAIRPERSON**

Sd/-
**(LT GEN P.M.HARIZ)
MEMBER (A)**

KK/Neha



**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI**

(Through Video-conferencing)

69. OA-45/2019

Ex-Sub Langzathang
Versus
Union of India & Ors.

..... Applicant

..... Respondents

For the Applicant : Mr AR Tahbildar

For the Respondent : Mr PK Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Mr. Garodia, learned counsel for the respondents wants to seek certain clarifications in the matter and file an additional affidavit. He is granted four weeks' time to do so.

2. List thereafter.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

74. OA-02/2020 with MA-01/20

Ex-Hav Fimsanglian Hmar

..... Applicant

Versus

Union of India & Ors.

..... Respondents

For the Applicant : Mr AR Tahbildar

For the Respondent : Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

S.H.
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

S.H.
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

93. OA-23/2020 with MA-15/20

Ex-Nk Khaitinlam Vaiphei Applicant
Versus
Union of India & Ors. Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

91. OA-21/2020 with MA-13/20

Ex-Sep Khamkhan Khup Applicant
Versus Respondents
Union of India & Ors.

For the Applicant : Mr AR Tahbildar
For the Respondent : Ms Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

73. OA-01/2020

Ex-Sub Lalrokhum
Versus

..... Applicant

Union of India & Ors.

..... Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Ms Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE REJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI**

(Through Video-conferencing)

72. OA-54/2019 with MA-36/19

Ex-Nk PS Angshung Anal
Versus

..... Applicant

Union of India & Ors.

..... Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Ms Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE REJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. As prayed by the learned counsel for the respondents, list the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

71. OA-52/2019 with MA-35/19

Ex-Nk (TS) Tinkho Lal Applicant
Versus
Union of India & Ors. Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr PK Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

**ORDER
06.01.2022**

Pleadings are complete.

2. Mr. P.K. Garodia, learned counsel for the respondents prays for an adjournment. Prayer is allowed.
3. List in the next sitting for hearing.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

70. OA-48/2019 with MA-33/19

Ex-Rect Enamul Hoque Applicant

Versus

Union of India & Ors. Respondents

For the Applicant : Mr Abdul Kalam Azad, Mr. Motiur Rahman

For the Respondent : Mr PJ Barman

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

O R D E R
06.01.2022

Pleadings are complete.

2. Matter be listed for final hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

63. OA-15/2019

Mrs Sonabi Begum

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For the Applicant : Mr Zahangir Hussain (Legal Aid Counsel)
For the Respondent : Mr PJ Barman

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

As prayed by the learned counsel for the applicant, four weeks' time is granted to file rejoinder.

2. List the matter in the next sitting.

sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

97. OA-06/2018

Ex-Sep Kongniyang Doko Applicant
Versus
Union of India & Ors. Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr P Sharma

CORAM :

**HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)**

**ORDER
06.01.2022**

Counsel for the respondents seeks four weeks' time to file counter affidavit. Respondents are directed to provide the calculated sheet explaining the reason as to why there is disparity in the calculation made.

2. List the matter for hearing in the next sitting.

Sd/-
**(JUSTICE RAJENDRA MENON)
CHAIRPERSON**

Sd/-
**(LT GEN P.M.HARIZ)
MEMBER (A)**

KK/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

88. OA-16/2020

Ex-Nk (TS) D Adani

..... Applicant

Versus

Union of India & Ors.

..... Respondents

For the Applicant : Mr AR Tahbildar

For the Respondent : Mr PJ Barman

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

**ORDER
06.01.2022**

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

35. RA-02/2021

With MA 04/2021 for Condonation of delay

Smt Shashima Kalita
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : None
For the Respondent : Ms Dipanjali Bora

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

ORDER
06.01.2022

None appears for the applicant. Ms. Dipanjali Bora, learned counsel appears on behalf of respondents.

2. The issue with regard to the powers of this Tribunal in the matter of condoning delay in filing the Review Applications has already been decided by a Larger Bench of the of the Tribunal in *Union of India and others v. Ex Sep M. Anthony Victor* (M.A No. 321 of 2018 in R.A (Diary No. 10920 of 2018 in O.A No. 64 of 2016, RB, Chennai).

3. As none is appearing for the applicant, we adjourn the matter. List in the next sitting.



(JUSTICE RAJENDRA MENON)
CHAIRPERSON



(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

4. OA 23/2021
(with MA-14/21)

Ex-Nk Thngnei Pau
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr. B.Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

Heard Mr. A.R.Tahbildar, leaned counsel for the applicant and
Learned OIC Legal Cell for the respondents.

2. Issue notice. Learned OIC, Legal Cell accepts notice on behalf of the
respondents. Let counter affidavit be filed within four weeks. Rejoinder, if any, be
filed within two weeks thereafter

3. List the matter thereafter.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

53. OA-24/2016

Sri Ashish Prasad
Versus
Union of India & Ors.

.....Applicant

.....Respondents

For the Applicant
For the Respondent

: Mr P Mahanta, Mr. A Khound
: Mr B Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER
06.01.2022

Pleadings are complete.

2. Since the learned counsel for the applicant is not available today, list the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

8. OA 27/2021
(with MA-15/21)

Ex- Hav Khaineimang
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr.PK.,Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

Heard Mr. A.R.Tahbildar, leaned counsel for the applicant and
Learned OIC Legal Cell for the respondents.

2. Issue notice. Learned OIC, Legal Cell accepts notice on behalf of the
respondents. Let counter affidavit be filed within four weeks. Rejoinder, if any, be
filed within two weeks thereafter

3. List the matter thereafter

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)**

77. OA-09/2020

Ex-Rfn Sameer Gurung
Versus
Union of India & Ors.

..... Applicant

..... Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr PJ Barman

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

**ORDER
06.01.2022**

Learned counsel for the respondents submits that the counter affidavit is ready and would be filed during the course of the day. A copy of the same be served on the learned counsel for the applicant. If so advised, applicant may file rejoinder within four weeks.

2. List the matter thereafter.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

89. OA-17/2020 with MA-10/20

Ex-Sub Henkholal Haokip Applicant
Versus
Union of India & Ors. Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Mr P Sharma

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Counter affidavit has not been filed. Respondents to file their counter within four weeks. Rejoinder, if any, be filed within two weeks thereafter.

2. List the matter thereafter.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

101. OA-38/2018

Ex-Hav BD Daniel Anal
Versus
Union of India & Ors.

..... Applicant

..... Respondents

For the Applicant : Mr AR Tahbildar
For the Respondent : Ms Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A)

ORDER
06.01.2022

Pleadings are complete.

2. List the matter for hearing in the next sitting.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

KK/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

9. OA 36/2019
(with MA-25/19 & MA 04/20)

Ex-Hav N.Tomba Singh
Versus
Union of India & Ors.

.... Applicant.

.... Respondents.

For the Applicant : Mr A.R.Tahbildar

For the Respondent : Mr. PK Garodia

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

As prayed by the learned counsel for the respondents, four weeks' time is granted to file counter affidavit.

2. List thereafter.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

13. OA 06/2021

with

MA 07/21(for condonation Of delay)

Ex-Sep SR Warhring Anal

.... Applicant.

Versus

Union of India & Ors.

..... Respondents.

For the Applicant : Mr A.R.Tahbildar

For the Respondent : Ms Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R

06.01.2022

Ms Dipanjali Bora, learned counsel for the respondents submits that she shall be filing reply affidavit during the course of the day. She may do so. Rejoinder, if any, be filed within four weeks.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI.
(Through Video-conferencing)

5. OA 24/2021

Smt M.Roshni Devi
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr. P.J.Barman

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

Heard Mr. A.R.Tahbildar, leaned counsel for the applicant and
learned OIC Legal Cell for the respondents

2. Issue notice Learned OIC, Legal Cell accepts notice on behalf of the
respondents. Let counter affidavit be filed within four weeks. Rejoinder, if any, be
filed within two weeks thereafter

3. List the matter thereafter.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

14.OA 14/2021

Ex-Nk Haokhosiam
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Ms Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

Ms Dipanjali Bora, learned counsel for the respondents submits that she shall be filing reply affidavit during the course of the day. She may do so. Rejoinder, if any, be filed within four weeks.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

6. OA 25/2021

Ex-Hony Nb Sub TH Ibohanbi Singh ... Applicant.
Versus
Union of India & Ors. Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr.P.J.Barman

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

Heard Mr. A.R.Tahbildar, leaned counsel for the applicant and
Learned OIC Legal Cell for the respondents

2. Issue notice. Learned OIC, Legal Cell accepts notice on behalf of the
respondents. Let counter affidavit be filed within four weeks. Rejoinder, if any, be
filed within two weeks thereafter

3. List the matter thereafter.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

7. OA 26/2021

Ex-Hav KH Ashikho
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Ms.Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

Heard Mr. A.R.Tahbildar, leaned counsel for the applicant and learned OIC Legal Cell for the respondents.

2. Issue notice. Learned OIC, Legal Cell accepts notice on behalf of the respondents. Let counter affidavit be filed within four weeks. Rejoinder, if any, be filed within two weeks thereafter

3. List the matter thereafter.

sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

10. OA 38/2019
(with MA 30/19 for
Condonation of delay)

Ex-Sep Suresh Chandra Sharma
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Mr R.K.Talukdar
Mr. R.Boro

For the Respondent : Mr. P.K.Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

As a last chance, learned counsel for the respondents is granted four weeks' time to file affidavit. If no affidavit is filed within four weeks, we will consider proceeding with the matter without granting any further time

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

11. OA 06/2020

Smt Juthika Sinha
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Mr A.R.Tahbildar
For the Respondent : Mr. P.K.Garodia

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R

06.01.2022

Counter affidavit has not been filed. Four weeks' time is granted to file counter affidavit.

2. List thereafter.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWAHATI
(Through Video-conferencing)

12. OA 29/2020

Col Mandeep Singh
Versus
Union of India & Ors.

.... Applicant.

..... Respondents.

For the Applicant : Applicant in person
For the Respondent : Ms Dipanjali Bora

CORAM :
HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M.HARIZ, MEMBER(A).

O R D E R
06.01.2022

We have been informed that the applicant Col Mandeep Singh is not available today and a request has been made on his behalf for adjournment of the case.

2. The matter stands adjourned till next sitting of the Court. Respondents shall file counter affidavit within four weeks.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI

(Through Video-conferencing)

31. OA 18/2021 with MA-12/21

Ex Hony Nb Sub Uttam Chandra Medhi Applicant.
Versus
Union of India & Ors. Respondents.

For the Applicant : Mr. B. Pathak
For the Respondent : Ms. Dipanjali Bora

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

O R D E R
06.01.2022

Heard arguments. Reserved for orders.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M.HARIZ)
MEMBER (A)

Mc/Neha

ARMED FORCES TRIBUNAL
REGIONAL BENCH
GUWANHATI
(Through Video-conferencing)

32. OA 03/2020 with MA-02/20

Ex Sep WS Ringlung Anal Applicant.
Versus Respondents.
Union of India & Ors.

For the Applicant : Mr. A. R. Tahbildar
For the Respondent : Mr. B. Kumar

CORAM :

HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN P.M. HARIZ, MEMBER (A).

O R D E R
06.01.2022

Heard. Reserved for orders.

Sd/-
(JUSTICE RAJENDRA MENON)
CHAIRPERSON

Sd/-
(LT GEN P.M. HARIZ)
MEMBER (A)