

Form No.4
[(SEE RULE 11(1))]

IN THE ARMED FORCES TRIBUNAL:
REGIONAL BENCH, KOLKATA

ORDER SHEET

O. A. No.12/2023

APPLICANT (S) : HAV/CLK(AEC) PRIYADARSAN
PRADHAN
:
RESPONDENT (S) : UNION OF INDIA & OTHERS
:
Legal Practitioner of applicant (s) : Legal Practitioner for Respondent (s)
:
In Person : Mr. Ajay Chaubey, Advocate

<u>ORDERS OF THE TRIBUNAL</u>	
	Order Serial Number : Dated : 20-07-2023
	<p style="text-align: center;"><u>O. A. No.12/2023</u></p> <p>This is an application filed under Section 14 of the Armed Forces Tribunal Act, 2007 seeking the following reliefs:</p> <p>(a) To issue an appropriate writ or direction(s) or order(s) in the nature of certiorari setting aside the impugned order of AEC Records Order No.00283/PMR/CA1 dated 31.08.2022 being abuse of administrative discretion and ultra vires Defence Service Regulations; and</p> <p>(b) To issue an appropriate writ or direction(s) or order(s) in the nature of mandamus direction AEC Records to process applicant's application on</p>

deputation.

We have heard the applicant who appears in person and learned counsel for the respondents.

The main contention of the respondents is that the applicant has not exhausted the statutory remedy available to him and has directly approached this Tribunal.

Faced with the situation, the applicant submits that he would be satisfied if the OA is directed to be treated as his statutory complaint.

In view of the aforesaid, we dispose of this OA by directing the respondents to treat it as the statutory complaint of the applicant and dispose it of within a period of three months as per prevalent rules and regulations.

LT GEN SHASHANK SHEKHAR MISHRA
HON'BLE MEMBER(A)

/vks/

JUSTICE ANJANA MISHRA
HON'BLE MEMBER(J)