

Court No. - 1

Case :- WRIT - A No. - 9563 of 2023

Petitioner :- No15236032-K Sepoy(Gun.)Raj Karan Singh(Dismis.)Thru.His Wife And Repres./Parokar Smt.Ruksat Singh

Respondent :- Armed Forces Tribunal Regional Bench Lko. And Others

Counsel for Petitioner :- Akash Tiwari

Counsel for Respondent :- A.S.G.I.

Hon'ble Attau Rahman Masoodi,J.

Hon'ble Om Prakash Shukla,J.

1. Heard learned counsel for the petitioner, Shri Sharad Kumar Srivastava, learned counsel for the respondents- Union of India.
2. This writ petition is directed against an interlocutory order passed in O.A. No.1245 of 2023 on 09.11.2023 by Armed Forces Tribunal, Regional Bench, Lucknow (hereinafter referred to as "Tribunal").
3. It appears that the proceedings of court-martial held against the petitioner have culminated into his dismissal from service and two years imprisonment and the order passed by the competent authority as confirmed on 31.08.2023 is a subject matter of the aforesaid O.A. pending before the Tribunal.
4. The interim application for bail has been rejected by means of the impugned order.
5. The application for interim bail has been rejected looking to the mental state and behavioural condition of the petitioner who is alleged to be a drug addict. The petitioner has already undergone the sentence for about 18 months.
6. The Tribunal has expressed ample concern to decide the

O.A. promptly. The petitioner, however, has submitted that though the O.A. was listed on 14.12.2023 but the next date is fixed on 14th February, 2024. Granting long dates would delay the course of justice is the precise submission put forth.

7. Though we are convinced that the rejection of bail proceeds on cogent grounds but delay in the disposal of O.A. would certainly cause irreparable loss.

8. We, accordingly, direct the Tribunal to list the matter in the first week of January, 2024 so that the proceedings are brought to its logical conclusion with expedition. We also make it clear that the report of Medical Board, if not furnished to the petitioner be also brought on record of O.A. so that the merit of the case is tested in light of the stand taken by the respondents.

9. With these observations, the writ petition is **disposed of**.

10. The O.A. itself may be decided within a period of three months as far as possible.

(Om Prakash Shukla, J.) (Attau Rahman Masoodi, J.)

Order Date :- 15.12.2023
Shubhankar