

09.09.2026
Item No.5
PG/KS
Ct. No.1

WP.CT. 120 of 2026
IC-77183F Lieutenant Colonel
Mainak Ganguly
Vs.
Union of India & Ors.

Mr. Sudip Patra
Mr. Prem Prakash
Mr. Sourav Singh
Ms. Shruti Jain for the Petitioner

Mr. Ajit Kr. Chaubey
Mr. Manabendranath Bandyopadhyay
Mr. M. Rawat for the Respondents

Ms. Maj Hitisha Rawal
.....Army JAG Officer

1. This petition suffers from lack of proper pleadings. The submissions made by the learned counsel for the Petitioner across the Bar today, contending that one of the members of the Armed Forces Tribunal has recused from hearing the original application of the Petitioner, is not supported by any document.
2. Learned counsel for the petitioner desires to tender an additional affidavit. An additional affidavit cannot amount to pleadings in the Memo of the Petition.
3. The original applications of the Petitioners bearing O.A. No. 31 of 2025 and O.A. No. 14 of 2025, are pending before the Armed Forces Tribunal, Kolkata

Bench. We are informed by the learned counsel for the respondents that the Bench is available and is in session.

4. In view of the above, liberty is given to the Petitioner to approach the Tribunal and pray for listing of the Original Applications bearing O.A. No. 31 of 2025 and O.A. No. 14 of 2025, for a final hearing.

5. **In view of the above, this Petition is disposed off.**

6. We make it clear that we have not expressed any opinion on the merits of the pending Original Applications and the Tribunal is at liberty to decide the same on their own merits.

7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(TAPABRATA CHAKRABORTY, J.) (RAVINDRA V. GHUGE)
CHIEF JUSTICE