

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

RSA No.2975 of 1998

Date of Decision:24.09.2016

Rattan Lal Yadav

... Appellant

Vs.

Union of India and others

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Vijay Kumar, Advocate for
Mr. Sanjay Mittal, Advocate for the appellant.

Ms. Gehna Vaishnavi, Advocate for the respondents.

P.B. BAJANTHRI J.

The appellant was working in the Air Force was discharged on 31.10.1976. He was enrolled as Air Man on 14.10.1967. Thus, he has worked from 1967 to 1976. The appellant could not fulfil the prescribed qualifying service, therefore, the respondents refused to grant him retiral benefits. Thus, he filed suit before the trial Court. On 21.4.1997, his suit was dismissed. Thereafter, he preferred an appeal before the Appellate Court. On 20.5.1998, the Appellate Court confirmed the order of the trial Court. Thus, he has presented this appeal. The appeal is pending consideration since 1998.

Today, learned counsel for the respondent-UIO submitted that in view of the constitution of Armed Forces Tribunal, the grievance of the appellant lies before the Armed Forces Tribunal and the present appeal is required to be transferred to Armed Forces Tribunal under Section 34 of the Armed Forces Tribunal, Act 2007.

Accordingly, the present appeal is transferred to Armed Forces

Tribunal. The registry is directed to transmit present RSA papers to Armed Forces Tribunal, Chandigarh at the earliest. The Armed Forces Tribunal, Chandigarh is requested to dispose of the present appeal within a period of six months in view of the fact that RSA No.2975 of 1998 is pending consideration before this Court since 1998.

Disposed of accordingly.

24.09.2016
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**