

EX.CPL Gurbachan Singh Nagar vs. Union of India and others

Present: Mr.S.S.Sodhi, Advocate for
Mr.D.K. Bhatti, Advocate for the petitioner.

Mr.Chander Mohan Sharma, Advocate for the
respondents.

By virtue of the instant application filed under Section 151 CPC read with Sections 33 and 34 of the Armed Forces Tribunal Act, 2007, the respondents have sought transfer of the instant writ petition to the Armed Forces Tribunal, Chandigarh, Chandimandir for final adjudication.

A glance of the writ petition transpires that the petitioner joined the services of the Indian Air Force on 12th June, 1962 as E.A. Clerk and has retired as Ex.CPL from the Indian Air force i.e. one of the department of the armed forces and sought the grant of disability pension on the ground that he was declared disable due “depressive reaction” in the year 1974.

Since the controversy projected in the instant petition is triable by the Armed Forces Tribunal, therefore this Court lacks jurisdiction to entertain and try this case. Accordingly, parties are directed to appear before the Armed Forces Tribunal, Chandimandir on 19.12.2017 at 10 A.M. and the registry is hereby directed to transmit the instant writ petition along with other papers/documents to the Armed Forces, Chandigarh, Chandimandir.

(JASPAL SINGH)
JUDGE

01.12.2017
Anjal