

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No. 13039 of 2023 (O&M)
Date of Decision: 21.07.2023

Union of India and othersPetitioners

versus

Armed Forces Tribunal and othersRespondents

CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present : Mr. Satya Pal Jain, Addl. Solicitor General of India with
Mr. Rohit Verma, Advocate, for the petitioners.

Mr. Arun Singla, Advocate, for respondent No.2.

RAVI SHANKER JHA, CHIEF JUSTICE (oral)

This petition has been filed by the petitioners being aggrieved by the order dated 23.12.2022 (Annexure P-1) passed by the Armed Forces Tribunal whereby the Tribunal without either deciding the application seeking interim relief or the Original Application itself, has simply passed an ad-interim order keeping the order of discharge in abeyance.

Learned counsel for the petitioners submits that the matter is pending since 16.12.2022 and has been taken up several times but neither the application for stay nor the main matter has been decided and the proceedings have simply been deferred after passing an interim order, as a result of which the respondent, who is unfit for service in the army, is continuing in the service inspite of the orders of discharge.

Learned counsel appearing for respondent No.2, on advance copy, submits that he has no objection in case the matter is disposed of directing the Armed Forces Tribunal to decide the matter finally. Both the learned counsel for the parties undertake before this Court to render full

seek any adjournment and shall make all endeavours to finally argue the matter on the next date of hearing i.e. 31.07.2023.

In view of the conjoint statement of learned counsel for the parties and in terms thereof, the petition filed by the petitioner is disposed of with a request to the Armed Forces Tribunal to take up and finally decide the matter on the next date of hearing, as agreed to by learned counsel for the parties.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

21.07.2023
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Whetherspeaking/reasoned	√Yes/No
Whetherreportable	Yes/No√