



2024:DHC:9027-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 22.11.2024***

+ W.P.(C) 16223/2024

WO KARAN SINGH RETD

.....Petitioner

Through: Mr. Durgesh Kumar Sharma,
Adv.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Ms. Manisha Agarwal, CGSC
with Ms. Pinky Panwar,
Mr. Akhil and Mr. Sandeep
Singh, Advs.**CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE SHALINDER KAUR****NAVIN CHAWLA, J. (Oral)****CM APPL. 68162/2024 (exemption)**

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 16223/2024 and CM APPL. 68163/2024

3. This petition has been filed by the petitioner challenging the Orders dated 09.07.2024 and 17.09.2024, passed by the learned Armed Forces Tribunal ('Tribunal'), Principal Bench, New Delhi in Original Application (in short, 'OA') No. 2100/2024 and Review Application No. 43/2024, titled ***WO Karan Singh (Retd.) vs. Union of India & Ors.***, respectively.



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4. The petitioner had filed the abovementioned OA before the learned Tribunal, challenging the letter dated 15.01.2024, whereby the respondents informed the petitioner that his grievance against the respondent nos. 4 to 7 was ill-founded as they had acted in accordance with the best tradition of the Indian Air Force and in perfect compliance with the regulations of the Organisation. It was further informed to the petitioner that the grievance raised by him did not warrant any further inquiry.

5. The petitioner in the OA had also prayed for a direction to the respondent nos. 1 to 3 to punish the respondent nos. 4 to 7 under various relevant Sections of the Air Force Act, 1950 for allegedly committing an offence against the petitioner.

6. The learned Tribunal dismissed the abovesaid OA filed by the petitioner herein, observing that the petitioner had been discharged from service by the competent authority on 15.09.2022; the petitioner did not raise any grievance at that point, and it was only on 10.10.2023, that he sent a legal notice through his counsel, which was subsequently replied to by the respondent nos. 1 to 3. The learned Tribunal further observed that although the petitioner allegedly faced harassment from the period 2019 to 2022, at the relevant time, no complaint was lodged, nor was any grievance redressal sought from the higher authorities regarding the allegations made. Additionally, the allegations were found to be vague and wide in nature. Based on these findings, the OA filed by the petitioner was dismissed by the learned Tribunal *vide* its impugned Order dated 09.07.2024.

7. Aggrieved thereby, the petitioner filed a Review Application,



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which was also dismissed by the learned Tribunal *vide* its impugned Order dated 17.09.2024.

8. Although the learned counsel for the petitioner insists that at least his representation/grievance should have been addressed by the competent authority of the respondent nos. 1 to 3, we find that, in the peculiar facts of the present case, where the petitioner has already been granted voluntary discharge from the service, no fault can be found in the impugned orders passed by the learned Tribunal. The complaint filed by the petitioner against the respondent no. 4 to 7 appears to be an afterthought.

9. We, therefore, find no merit in the present petition. The same is, accordingly, dismissed. Pending application also stands dismissed.

NAVIN CHAWLA, J

SHALINDER KAUR, J

NOVEMBER 22, 2024
SU/SK/DG

Click here to check corrigendum, if any