

Form No. 4
{See rule 11(1)}
ORDER SHEET
ARMED FORCES TRIBUNAL, REGIONAL BENCH, LUCKNOW

Court No. 1 (Ser No. 34)

O.A. No. 344 of 2021

Ex JWO Anil Kumar Ojha Applicant
By Legal Practitioner for the Applicant : **Shri Shiv Kant Pandey**, Advocate
Ms. Nisha Pandey, Advocate
Shri Amit Pandey, Advocate

Versus

Union of India & Others Respondents
By Legal Practitioner for Respondents : **Ms. Appoli Srivastava**, Advocate

Notes of the Registry	Orders of the Tribunal
	<p><u>14.07.2023</u> <u>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member (J)</u> <u>Hon'ble Vice Admiral Atul Kumar Jain, Member (A)</u></p> <p>1. On the case being taken up for hearing, Shri Shiv Kant Pandey and Ms. Nisha Pandey, learned counsel for the applicant and Ms. Appoli Srivastava, learned counsel for the respondents are present.</p> <p>2. Ms. Appoli Srivastava, learned counsel for the respondents states that original documents in sealed cover are available for the perusal of bench.</p> <p>3. Mr. Shiv Kant Pandey, learned counsel appearing for the applicant states that respondents be directed to disclose the original documents they are relying upon instead of being produced in sealed cover as directed by the Hon'ble Apex Court in case titled Cdr Amit Kumar Sharma and Others Vs Union of India & Ors, (2022) Live Law SC 951, decided on 20.10.2022.</p> <p>4. He states that applicant has been denied promotion to the rank of Warrant Officer based on ACRs and being a low medical category case against which he has filed this application and has challenged para 28 of the promotion policy 2015 being violating of Articles 14 and 16 of the Constitution of India. Since for denial of promotion respondents rely upon ACRs which they have not disclosed, direction be issued.</p> <p>5. Matter needs hearing as respondents have opposed the plea being sensitive information.</p> <p>6. List on 11.09.2023 for hearing on the issue.</p> <p style="text-align: center;">(Vice Admiral Atul Kumar Jain) (Justice Umesh Chandra Srivastava) Member (A) Member (J)</p> <p>SB</p>