

Court No.3**ARMED FORCES TRIBUNAL, REGIONAL BENCH,
LUCKNOW****Original Application No. 105 of 2013**Friday, this the 06th day of November 2015**Hon'ble Mr. Justice D.P. Singh, Member (J)**
Hon'ble Air Marshal Anil Chopra, Member (A)Ex-Sep Barjinder Singh (Army No 1462119W), Son of Late
Shree Kripal Singh, Permanent resident of 382, Nayi Basti
ETAH (UP)-PIN : 207001

.....Applicant

Ld. Counsel for the : **Shri P.K. Shukla, Advocate**
Applicant

Versus

1. Union of India, through the Secretary, Ministry of Defence,
101 South Block, New Delhi-110011.
2. Chief of the Army Staff, Integrated Headquarter of the
Ministry of Defence (Army), South Block, DHQ, PO New Delhi-
110011.
3. Officer-in-Charge Records Defence Security Corps (DSC)
PIN-901277, c/o 56 APO
4. Officer Commanding (Troops) 3 ASD (15 FAD), PIN-
909153, c/o 56 APO.
5. The Commandant Central Ordnance Depot (COD) Agra
Cantt (UP).

...Respondents

Ld. Counsel for the : **Lt Col Subodh Verma, OIC Legal Cell.**
Respondents.

(ORDER (ORAL))

1. Heard Ld. Counsel for the parties and perused the record.
2. Being aggrieved by order of discharge as well as denial on part of the respondents to provide extended period of service the applicant has preferred the present O.A. under 14 of the Armed Forces Tribunal Act 2007.
3. According to Ld. Counsel for the applicant red ink entries were awarded to the applicant without following due procedure of law and order of discharge has also been passed on unfounded ground. Submission is that applicant should have been permitted to continue in service with extension in accordance with Army Order. Feeling aggrieved with the order of discharge, the applicant has submitted statutory complaint dated 30.06.2012.
4. The order shows that the respondents were directed to find out the status of the applicant's statutory complaint they have failed to receive any instruction from the concerned authority. However at this state, Ld. Counsel for the Respondents submits that in case the applicant submits a fresh statutory complaint alongwith copy of earlier one, it shall be looked into by the army authorities.
5. Accordingly, with the consent of Ld. Counsel for the parties, we dispose of the O.A. and permit the applicant to prefer another statutory complaint within one month, which shall be decided by the army authorities by speaking and reasoned order expeditiously, say within four months from the date of

presentation of certified copy of this order and communication the decision to the application.

6. With the aforesaid observations, we disposed of the O.A. finally.

No order as to cost.

(Air Marshal Anil Chopra)
Member (A)

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(Justice D.P. Singh)
Member (J)