

**ARMED FORCES TRIBUNAL, REGIONAL BENCH,
LUCKNOW****Original Application No. 176 of 2011**Tuesday, this the 13th day of October 2015**Hon'ble Mr. Justice D.P. Singh, Member (J)**
Hon'ble Air Marshal Anil Chopra, Member (A)No. 6923115F Ex Nk Satya Narayan Pandey
S/O Manmohan Prasad
R/O Village-Seamra, PO: Khair,
Tehsil-Sirhour
District-Rewa (M.P.)

.....Applicant

Ld. Counsel for : **Col (Retd) Ashok Kumar,**
the Applicant **Advocate.**

Versus

1. Chief of Army Staff, DHQPO New Delhi
2. Commandant cum Chief Records Officer
AOC Centre and Records, Secunderabad
3. Union of India, Through Secretary,
Ministry of Defence New Delhi

.....Respondents

Ld. Counsel for the : **Shri Ishraq Farooqui,**
Respondents **Central Govt. Counsel**
assisted by Lt Col Subodh Verma,
OIC., Legal Cell.

ORDER (ORAL)

1. Heard learned counsel for the parties and perused the record.
2. The applicant has approached this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007 being aggrieved with the order of discharge and denial of promotional avenue.
3. A preliminary objection has been raised that the applicant should have approached the respondents by filing statutory complaint. However, learned counsel for the applicant submitted that statutory complaint was filed on 30.09.2007 and subsequently supplementary statutory complaint was filed on 03.02.2008. Submission of learned counsel for the applicant is that the statutory complaints submitted by the applicant are still pending.
4. Keeping in view the fact that the applicant's statutory complaints are pending, the controversy requiring adjudication is a mixed question of facts and law, we direct the competent authority to decide the statutory complaints of the applicant by a reasoned and speaking order expeditiously, say within three months from the date of presentation of a certified copy of this order from the date of presentation of a certified copy of this order.
5. It shall be open to the applicant to submit copies of the statutory complaints along with supporting enclosures, if any, with certified copy of this order.
6. With the aforesaid direction, the O.A. is disposed of finally.

No order as to costs.

(Air Marshal Anil Chopra)
Member (A)

anb

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