

(2019) 12 AFT CK 0058

In the Armed Forces Tribunal

Case No : A.T No. 44 Of 2019, Original Application No. 941 Of 2016

Clement Robert Pawar

APPELLANT

Vs

Union Of India And Others

RESPONDENT

Date of Decision : 13-12-2019

Acts Referred:

Armed Forces Tribunal Act, 2007 — Section 27

Citation : (2019) 12 AFT CK 0058

Hon'ble Judges : Rajendra Menon, J

Bench : Single Bench

Advocate : Archana Ramesh, Jyotsna Kaushik

Final Decision : Dismissed

Judgement

1. This application has been filed under Section 27 of the Armed Forces Tribunal Act seeking transfer of O.A No. 941 of 2016 pending before this

Tribunal to the Regional Bench at Mumbai.

2. Heard the learned counsel for the parties.

3. It is seen that the instant O.A has been pending since 2016.

Various proceedings have been held and the matter is at the stage of final hearing and is now posted to 08.01.2020. The transfer is sought only on the

ground that the applicant is permanently residing now in Thane and, therefore, if the matter is transferred to the Regional Bench at Mumbai, it would

be convenient for the applicant.

4. To the contrary, learned counsel for the respondents vehemently opposes the aforesaid prayer and argues that now the Regional Bench at Mumbai

is not functional and no case for transfer is made out.

5. Considering the rival contentions and looking to the facts, I find no reason to

allow the prayer and the same is, therefore, rejected.