

(2022) 07 AFT CK 0012

In the Armed Forces Tribunal

Case No : AT 61 Of 2022 IN (OA (Appeal) 137 Of 2016 RB, Chennai)

Ex Maj BSRK Prasad

APPELLANT

Vs

Union Of India & Ors

RESPONDENT

Date of Decision : 22-07-2022

Acts Referred:

Armed Forces Tribunal Act, 2007 — Section 27

Citation : (2022) 07 AFT CK 0012

Hon'ble Judges : Rajendra Menon, Chairperson

Bench : Single Bench

Advocate : Naveen Deo, PDP Deo, Neeraj

Final Decision : Disposed Of

Judgement

AT 61/2022

Through this application filed under Section 27 of the Armed Forces Tribunal Act, 2007, the applicant seeks transfer of OA (Appeal) 137/2016 pending at Regional Bench Chennai to the Principal Bench at New Delhi only on the ground that the Chennai Bench is not functioning.

It is a known fact that many of the Regional Benches are not functioning and even Principal Bench at New Delhi is functioning with only one Administrative Member. Merely because the Chennai Bench is not functional cannot be a ground to allow transfer of OA (Appeal) 137/2016 to Principal Bench. In the Regional Benches pendency of cases is very less as compared to the Principal Bench where approximately more than 5000 cases are pending.

Taking note of the circumstances and the facts that process of appointment of Members, Judicial and Administrative, is at its advance stage, no case is made out for allowing this application.

That apart, Judicial notice can also be taken of the fact that every month the hearing of cases of Chennai Bench is going on and urgent matters are being

taken up through Video Conferencing. That being so, the applicant, if so advised, may file an application for early hearing and when such an application is filed the Registrar is directed to place the same before the Member (A) for listing of the matter.

AT stands disposed of.