
(2021) 12 AFT CK 0003
In the Armed Forces Tribunal
Case No : OA 2665 Of 2021

Maj Dibendu Ghosh

APPELLANT

Vs

Union of India & Ors

RESPONDENT

Date of Decision : 03-12-2021

Acts Referred:

Citation : (2021) 12 AFT CK 0003

Hon'ble Judges : Rajendra Menon, Chairperson, (J); P.M. Hariz, Member (A)

Bench : Division Bench

Advocate : I. S. Singh, Rahul Vyas, Karan Singh Bhati

Final Decision : Disposed Of

Judgement

Even though we had issued notice and passed certain interim order after, prima facie, assessment of the matter, but on the last date, i.e., on 1st December, 2012 after the interim order was passed, Gp Capt Karan Singh Bhati, learned Senior CGSC, for the respondents wanted to seek instructions and make certain submissions.

Today Mr. Bhati informed us that based on the interim order passed and certain observations made by the Bench at the time of hearing on the last date the matter has been discussed by him with the Competent Authority; the Competent Authority has re-considered the entire issue and for the present, as a matter of principle, has decided that not only the applicant before this Tribunal in this case but also other similarly situated employees would be permitted to participate in the counseling.

However, this is only an exception granted to this case in the peculiar facts and circumstances that have arisen and should not be treated as a precedent.

We appreciate the efforts taken by Mr. Bhati and the action of the Department in rising to the occasion and taking an administrative decision in the interest of the applicant after taking note of the circumstances that were created in the matter,

particularly, because of the pandemic situation. We have no words to express and appreciate the conduct of the respondents and their counsel in ensuring disposal of the matter in the manner done.

Accordingly, we dispose of this matter in the light of the decision taken by the respondents.

DASTI.