

(2019) 09 J&K CK 0017

In the Jammu And Kashmir High Court

Case No : CM No. 4132 Of 2019, Others Writ Petition (OWP) No. 395 Of 2008

Shanker Singh

APPELLANT

Vs

Union Of India And Ors

RESPONDENT

Date of Decision : 24-09-2019

Acts Referred:

Armed Forces Tribunal Act, 2007 — Section 14, 34

Citation : (2019) 09 J&K CK 0017

Hon'ble Judges : Sindhu Sharma, J

Bench : Single Bench

Advocate : Rozina Afzal, Vishal Sharma

Final Decision : Disposed Of

Judgement

Sindhu Sharma, J

1. Applicant/Respondent seeks transfer of this petition to the Armed Force Tribunal Srinagar Circuit Bench, at Jammu.
2. Petitioner, who was serving in the Army, has approached this Court for grant of disability pension as well as shelter or alternative appointment.
3. Since the relief, sought by the petitioner, is under the provisions of Army Act, therefore, in view of Sections 14 and 34 of the Armed Forces Tribunal Act, 2007, any person seeking relief under the Army Act, Navy Act and Air Force Act, 2007 will have to approach the Armed Forces Tribunal for seeking redressal of his grievance.
4. In view of aforesaid and the law laid down in Tilak Raj v. Union of India and ors. 2018 LAB.I.C. 988 and Darshan Singh v. Union of India and ors. 2018 (1) JKJ 315, this petition is transferred to the Armed Forces Tribunal, Srinagar Circuit Bench, at Jammu along with the record.
5. Petition as well as application is, accordingly, disposed of.