

ITEM NO.101

COURT NO.1

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 6886-6887/2011

MANISH KUMAR RAI

Appellant(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

(with appln. (s) for early hearing and permission to place addl. documents on record and office report)

Date : 18/02/2016 These appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s) Mr. K.G.Bhagat, Adv.
Mr. Vineet Bhagat, Adv.

For Respondent(s) Mr. Maninder Singh, ASG,
Mr. R.Balasubramanian, Adv.
Mr. Nalin Kohli, Adv.
Mr. Prabhas Bajaj, Adv.
Mr. Pranav Kumar, Adv.
Mr. B. V. Balaram Das, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Although it ought to have been registered as an application for grant of leave to appeal in terms of Section 31(1) of the Armed Forces Tribunal Act, this matter has been registered as a regular appeal as though an appeal lies as a matter of right. That, however, is not the correct position in light of our Order dated 23.03.2012 passed in Union of India and Ors. Brigadier P.S.Gill 2012(4) SCC 463. The memo of appeal is accordingly

treated as an application for grant of leave to appeal in terms of Section 31(1) of the Act mentioned above.

Leave granted.

Post for final hearing at its turn.

(Shashi Sareen)
AR-cum-PS

(Veena Khera)
Court Master