

FORM NO – 4
(SEE RULE 11 (1))
IN THE ARMED FORCES TRIBUNAL, REGIONAL BENCH, KOLKATA
ORDER SHEET

APPLICATION No. T.A. No. 55/2012

APPLICANT (S)	Ajay Kumar
RESPONDENT (S)	Union of India & 5 Others
Legal Practitioner for Applicant (s)	Legal practitioner for Respondents
Mr. Amit Sharma	Mr. Dipak Kumar Mukherjee

<u>ORDERS OF THE TRIBUNAL</u>	
	<p><u>Order Serial Number:</u> 4 Dated : 02.07.2013</p> <p>Mr. Amit Sharma, learned counsel appearing for the applicant files affidavit-in-reply to the A/O of the respondents which has already been filed. Let the said A/R be kept with the record. Copy served upon Shri Dipak Kumar Mukherjee, the learned counsel who appears for the respondents.</p> <p>We find from the records that certain important and vital documents which, we are of the view, are very much necessary for us to peruse before adjudicating this matter, are needed to be produced by the respondents. To be more precise, we further clarify that the following documents, besides other connected documents, be submitted produced by the respondents by the next date:-</p> <ul style="list-style-type: none">(a) Summary Trial Proceedings along with the convening order in this case.(b) Summary of evidence:(c) Board of Inquiry Proceedings along with the convening orders, findings and opinions:(d) Sanction of the appropriate competent authority to try this matter through a Summary Trial considering the charges for which the applicant was tried.(e) Approval of the competent authority after the summary trial was concluded along with departmental legal review report. <p>As prayed for by Mr. Mukherjee, the respondents shall produce the above documents within six weeks from this date.</p>

As prayed for, Mr. Amit Sharma is given liberty to inspect only the summary trial, board of inquiry and the documents of summary of evidence. All other documents shall be kept in a separate sealed cover in the safe custody of the learned Registrar and the same shall not be inspected by the learned counsel for the applicant.

We have also observed from the order of the Hon'ble Division Bench of the Patna High Court that this matter should be disposed of at an early time frame since the same had been pending in the Hon'ble Patna High Court since long.

Therefore, considering the circumstances, let the matter be fixed for hearing on 25.09.2013.

The production of the documents by the respondents and inspection of the same by the learned counsel for the applicant shall be completed in the meantime.

To 25.09.2013 for hearing.

A plain copy of the order, duly countersigned by the Tribunal Officer, be handed over to both sides, upon observance of usual formalities.

(Lt Gen K.P.D. Samanta)
Member (Administrative)

(Justice Raghunath Ray)
Member (Judicial)