

ARMED FORCES TRIBUNAL, REGIONAL BENCH, KOLKATA

ORDER SHEET

O.A. No. 45/2017

CORAM: **HON'BLE DR.(MRS.) JUSTICE INDIRA SHAH, MEMBER (J)**

HON'BLE LT GEN GAUTAM MOORTHY, MEMBER (A)

APPLICANT (S) : HAV (GD) Vijay Kumar Sah

RESPONDENT (S) : Union of India & Others

Legal Practitioner of applicant : Legal Practitioner for Respondent (s)

Mr. Suman Basu : Mr. Ashish Kr. Chatterjee

<u>ORDERS OF THE TRIBUNAL</u>	
Order Serial Number :	Dated :06.09.2018
<p>1. Heard Mr. S.K. Bhattacharjee, learned counsel leading Mr. Suman Basu, learned counsel for the applicant, counsel for the respondents and the departmental representative at length.</p> <p>2. Counsel for the respondents assisted by OIC, Legal Cell has raised the preliminary objection as regards the maintainability of this OA.</p> <p>3. On perusal of the earlier orders it appears that this OA has already been admitted vide order dated 30.3.2017.</p> <p>4. Therefore, the respondents are directed to file counter affidavit wherein they can also raise the issue of maintainability of this OA.</p> <p>5. Both sides may file their memorandum of their written Notes of Arguments so advanced today orally on the issue of maintainability of this OA.</p> <p>6. List the matter on 28.11.2018 for further order.</p>	
(LT GEN GAUTAM MOORTHY) MEMBER(ADMINISTRATIVE) SS	(JUSTICE INDIRA SHAH) MEMBER (JUDICIAL)