

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

APPLICATION NO. T. A. No. 49/2012

APPELLANT (S)

Karunakar Nanda & Another

RESPONDENT(S)

Union of India & 2 Ors.

Legal Practitioner for Appellant(s)

Legal Practitioner for Respondent(s)

Mr. Rajib Mukherjee

None

ORDER OF THE TRIBUNAL	
Order No. 7	Dated: 23.09.2013
<p>Although both Mr. Jayanta Kumar Sanyal and Mr. Rajib Mukherjee, Ld. Advocates have been engaged by the applicant in this case, Mr. Rajib Mukherjee, Ld. Advocate appearing on behalf of the applicant submits that the applicant has already obtained 'No objection certificate' from him with intention to engage some other Advocate in this case and in fact he has relinquished the brief. No counsel appears for the respondents. However, Lt. Col. Anil Chandra, OIC, Legal Cell, HQ Bengal, being present on behalf of the respondents, submits that Mr. Anand Bhandari, Ld. Advocate-on-Record for the respondents is unable to attend the Court to-day on personal grounds since he is away at Darjeeling.</p> <p>We notice from the records that Mr. Bhandari had filed Affidavit-in-Opposition and had raised certain points on maintainability issue with regard to this case which were to be responded by the applicant by filing an Affidavit-in-Reply. Such action has not yet been taken either by the applicant or by his Advocate.</p> <p>Registry is directed to issue notice upon the applicant to be present either in person or through his properly appointed Counsel by the next date failing which this application is liable to be dismissed for default in appearance under the provisions of Rule 16(1) of the Armed Forces (Procedure) Rules, 2008.</p> <p>Under such circumstances, let the matter be adjourned till 29.11.2013 for further order.</p> <p>Let a plain copy of the order, duly countersigned by the Tribunal Officer, be furnished to both sides after observance of usual formalities.</p>	
(LT. GEN. K.P.D.SAMANTA) Member (Administrative)	(JUSTICE RAGHUNATH RAY) Member (Judicial)