

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

ORDER SHEET

APPLICATION NO. T. A. No. 211/2010

APPELLANT (S)

Ex-Hav/Clk Rajendra Kumar Mishra

RESPONDENT(S)

Union of India & 6 Ors.

Legal Practitioner for Appellant(s)
Mr. Amalendu Kumar Paul

Legal Practitioner for Respondent(s)
Mr. Sandip Kumar Bhattacharyya

ORDER OF THE TRIBUNAL	
	<div style="display: flex; justify-content: space-between;"><div>Order No. 31</div><div>Dated: 22.10.2013</div></div> <p>Mr. Amalendu Kumar Paul, Ld. Advocate appears on behalf of the applicant and Mr. Sandip Kumar Bhattacharyya, Ld. Advocate for the respondents is present.</p> <p>Hearing of the matter was concluded and the matter was reserved for judgement. Due to some queries the matter was listed to-day 'For Being spoken to'. We observe that vide our order dated 13.06.2011 the respondents were directed to cause production of the court of inquiry (COI) in this case. However, the respondents did not produce any such documents nor did they deny to the effect that the COI was held but not available with them.</p> <p>We are of the view that the COI, this being a recruitment matter, is very vital for us to adjudicate it in a holistic approach. Therefore, we direct that the COI proceedings in this case be produced at the earliest. Mr. Bhattacharyya submits that he would request the authorities to cause production of the COI proceedings within two weeks from this day. He also submits</p>

that in case for any reason he is not able to cause production of this document, in that case also appropriate reply affidavit would be filed by him within the above-mentioned period. He also prays that he may be allowed to file a copy of the relevant decision in the form of an 'Addendum' to the compilation of decisions filed by him earlier. Such prayer is granted.

Mr. Paul submits that he has filed the written notes of arguments along with compilation of citations in the Registry after the vacation. The same has been received and kept with the record.

Under the circumstance, let the matter appear on 12.11.2013 under the heading 'For being spoken to'.

(LT. GEN. K.P.D.SAMANTA)
Member (Administrative)

(JUSTICE RAGHUNATH RAY)
Member (Judicial)