

**FORM NO.4**  
**(SEE RULE 11 (1))**

## ORDER SHEET

**APPLICATION No.O.A. No.95/2011**

APPLICANT (S)	Mr. Prabir Kumar Das Ghosh
RESPONDENT (S)	Union of India & 5 others
Legal Practitioner for Applicant (s)	Legal practitioner for Respondents
Mr. Supratik Basu	None

<u><b>ORDERS OF THE TRIBUNAL</b></u>	
<u>Order Serial Number:</u> 14	Dated : 06.01.2014
	<p>Mr. Supratik Basu, learned counsel appears for the applicant. Mr. Anand Bhandari, learned counsel for the respondents is not present. However, Capt. Jaspreet Kaur, Officiating OIC, Legal Cell, HQ Bengal Area submits that Mr. Bhandari could not attend this Tribunal this day being out of station for his personal preoccupation and, therefore, she prays for an adjournment of the matter for the day.</p> <p>We, however, observe that despite our order dated 02.09.2013 and reiterated again vide our order dated 25.11.2013, the respondent authorities have not taken any action to cause production of certain clarifications/documents in the form of an affidavit that was directed to be filed by them. These are very vital clarifications/documents for adjudication of this matter and the learned counsel for the applicant is also to inspect these documents/clarifications, when so produced by the respondents. In fact it is because of such delay, the matter is left pending for so long. We find that due to total inaction on the part of the respondent authorities, the matter is being delayed where a serving soldier is involved and the justice is being denied to him for so long.</p>

We do not appreciate such attitude of the respondent authorities. We, therefore, make it very clear that incase the required clarifications/documents are not submitted by the next date, suitable cost would be imposed upon the erring respondent authorities.

Let the matter appear for further order on 28.02.2014.

A plain copy of the order, duly countersigned by the Tribunal Officer, be given to the parties upon observance of all usual formalities.

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

(Justice Raghunath Ray)  
Member ( Judicial )