

FORM NO – 4

(SEE RULE 11 (1))

IN THE ARMED FORCES TRIBUNAL, REGIONAL BENCH, KOLKATA

ORDER SHEET

APPLICATION No : C A 7/2013 (OA 65/2012)

APPLICANT (S)

Ex Sub Basant Kumar Dash

RESPONDENT (S)

Shri R.K.Mathur & Anr

Legal Practitioner of applicant

Legal Practitioner for Respondent (s)

Mr. Bisikesan Pradhan

Mr. D.K.Mukherjee/Mr. Mintu Kr. Goswami

NOTES OF THE REGISTRY	<u>ORDERS OF THE TRIBUNAL</u>
	<p data-bbox="614 873 1372 929">Order Sl. No. : <u>3</u> Dated : 24.01.2014</p> <p data-bbox="606 963 1380 1332">Mr. Bisikesan Pradhan, Id. adv. appearing on behalf of the applicant, submits that he has just now received a copy of the sanction order granting disability pension to the applicant @ 40% for life w.e.f. 1st March 2003 with condition that the Govt. sanction will be subject to the outcome of the appeal filed before the Hon'ble Supreme Court, if any, against the order dt. 25.2.13 passed by this Tribunal in the connected OA 65/2012.</p> <p data-bbox="598 1344 1372 1646">Mr. D.K.Mukherjee, Id. adv. for the alleged contemnors has also filed a copy of such sanction order dt. 2.1.14. He has also pointed out that the arrear amount will also carry 12% interest. Therefore, according to Mr. Mukherjee, the order of this Tribunal has been fully complied with and he will file a compliance report by the next date.</p> <p data-bbox="590 1657 1364 1960">At this stage, Mr. Mintu Kumar Goswami, Id. adv. for respondent No. 7 (AGIF) of the OA intervenes and submits that although AGI is not arrayed as a contemnor in this contempt petition, in view of direction passed by this Tribunal dt. 20.11.13 in this contempt petition, he has been instructed by the AGI authorities to submit that earlier speaking order dt. 5.4.13</p>

issued by the said authorities suffered from certain formal defect and the same has since been corrected, a fresh speaking order has been issued on 3.1.14, a copy of which has also been served on the Id. adv. for the applicant. Mr. Goswami also submits that he has impressed upon the AGI authorities to comply with the order of the Tribunal and on his advice, the concerned official i.e. Achal Kr., Jt. Director, has also tendered his unqualified apology for the mistake committed inadvertently.

As an officer of the Tribunal, the endeavour of Mr. Goswami is appreciated and the apology tendered by the concerned official is also accepted. Let the revised speaking order be kept with the record.

Since Hon'ble Member(A) is on leave, Division Bench could not sit. Accordingly, let the matter be fixed for further orders on 24.3.14. The respondents/alleged contemnors 1 and 2 shall file a report of compliance in the form of an affidavit in the meantime after serving a copy on the Id. adv. for the applicant.

Mr. Mukherjee has filed vokalatnama on behalf of alleged contemnor No. 1 i.e. Shri R.K.Mathur, which may be kept with the record. He also undertakes to file vokalatnama on behalf of contemnor No.2 by the next date.

To 24.3.14 for further orders.

Let a plain copy of the order duly countersigned by the Tribunal Officer be furnished to both sides after observance of due formalities.

(JUSTICE RAGHUNATH RAY)
MEMBER(J)