

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

**APPLICATION No. O.A. No. 43/2013**

APPLICANT (S)

Arun Yadav

RESPONDENT (S)

Union of India & 3 Others

Legal Practitioner for Applicant (s)

Legal practitioner for Respondents

Mr. Ranjit Rajak

Mr. Souvik Nandy

**ORDERS OF THE TRIBUNAL**

Order Serial Number: 5

Dated : 02.06.2014

Mr. Ranjit Rajak . learned counsel appears for the applicant. Mr. Souvik Nandy, learned counsel appears for the respondents.

Mr. Rajak prays for a long adjournment of the matter on the ground that his senior Mr. Satish Kumar Singh has not been able to attend the court this day since he is unwell. Mr. Rajak, although an Advocate on Record for the applicant, submits that he is not in a position to argue the case today since he is not prepared.

Be that as it may, we observe from our earlier order dated 20.02.2014 that the Advocates on Record for the applicant in this case have been seeking long adjournments on some pretext or the other. Therefore, the case is unnecessarily lingering very long and even the pleadings have not been completed by the applicant. Continuous adjournment of the matter will frustrate the speedy delivery of justice to the applicant. Although we are prepared to hear and dispose of the case this day, but Mr. Rajak prays for adjournment as a last chance since he is not at all prepared to argue the case. Mr. Nandy does not raise any objection to such prayer of the learned counsel for the applicant.

For the sake of justice, we adjourn the matter as a last chance till a short date and let it be fixed for hearing on 09.06.2013.

We make it very clear that the matter will be heard and decided on that date even if the applicant or his learned counsel remains absent. In the absence of the applicant matter will be dismissed for default in appearance in terms of provisions of Rule 16(1) of the Armed Forces (Procedure) Rules, 2008.

To 09.06.2014 for hearing.

A plain copy of the order, duly countersigned by the Tribunal Officer, be furnished to both sides after observance of usual formalities.

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

(Justice Raghunath Ray)  
Member ( Judicial )