

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

**APPLICATION No. O.A. No. 23/2013**

APPLICANT (S)	Major Rajesh Chandra Kar
RESPONDENT (S)	Union of India & 4 Others
Legal Practitioner for Applicant (s)	Legal practitioner for Respondents
Mr. Aniruddha Datta	None

	<p style="text-align: center;"><b><u>ORDERS OF THE TRIBUNAL</u></b></p> <p><u>Order Serial Number:</u> 157 <span style="float: right;">Dated : 25.06.2014</span></p>
	<p>Mr. Aniruddha Datta, learned counsel appears for the applicant. The applicant is also present in person. No counsel appears for the respondents. However, Lt. Col. Anil Chandra, OIC, Legal Cell, HQ Bengal Area being present in the court submits that their counsel Mr. Anand Bhndari has not been able to attend the court this day due to his health problem.</p> <p>We find from records that although respondent Nos. 6, 7 and 8 have duly been served with the notice along with the copy of the application as is evident from the affidavit of service filed by the applicant, they have not yet appeared either themselves or through any counsel and, therefore, they have not filed any affidavit-in-opposition to the OA. Since they are all serving officers, it will be proper for the OIC, Legal Cell to obtain concurrence of their respective Commanding Officers in case they are to be represented by the Government counsel. In that event, proper power should be obtained from them. Lt. Col. Chandra submits that he would take necessary steps in this regard and do the needful.</p>

Be that as it may, we find that the case is ready in all respects for hearing and, therefore, let this matter be fixed for hearing on 22.08.2014. A responsible officer from the office of the DGAFMS shall be present on the ibid date of hearing with all the latest developments of this matter to enlighten this court on the circumstances when respondent Nos. 6, 7 and 8 were reconsidered for extension.

The interim order granted vide our earlier order dated 18.04.2013 is extended till the next date fixed for hearing on 22.08.2014.

To 22.08.2014 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 )