

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

APPLICATION No. O.A. No. 85/2013

APPLICANT (S)	Brig. D N Singh
RESPONDENT (S)	Union of India & 3 Others
Legal Practitioner for Applicant (s)	Legal practitioner for Respondents
Mr. Rajiv Manglik	Mr. Anand Bhandari

	<p style="text-align: center;"><u>ORDERS OF THE TRIBUNAL</u></p> <p><u>Order Serial Number:</u> 7 Dated : 10.07.2014</p>
	<p>Mr. Rajiv Manglik, learned counsel appears for the applicant. The applicant is also present in person. Mr. Anand Bhandari, learned counsel appears for the respondents.</p> <p>Mr. Bhandari files affidavit-in-opposition (A/O) on behalf of respondent No. 4. The same be kept with the record. Copy served upon Mr. Rajiv Manglik. Mr. Manglik submits that he does not intend to file any affidavit-in-reply (A/R) to this short A/O and he would orally submit his objection, if any, in this regard at the time of hearing of the OA.</p> <p>Mr. Manglik further submits that his client is a serving Army Officer who not only loses his seniority and salary but also faces insult and embarrassment before his junior officers if the hearing of this matter is delayed further and he, therefore, prays for an early hearing of the matter.</p> <p>We have heard the submission of both sides. Let the hearing of this matter be fixed on 22.08.2014.</p>

We make it very clear that a representative from MS Branch (Board Section) will be present one day prior to the date of hearing with all relevant documents, excepting those which have been already submitted, including the connected promotion board proceedings and the concerned MoD files to explain the board proceedings and other connected aspects related to this case to the Member (A) in his chamber since there are many technical aspects which need elucidation.

We further make it clear that we have taken note of the fact that the matter is being delayed for the laches of the respondents and in case of any further delay on the part of the MS Branch , the Organisation as a whole, will be accountable for that.

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)