

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

ORDER SHEET
APPLICATION NO. O. A. No. 5/2012

APPLICANT (S) Subhashish Ghosh

RESPONDENT(S) Union of India & 5 Ors.

Legal Practitioner for Applicant(s)
None

Legal Practitioner for Respondent(s)
Mr. Dipak Kumar Mukherjee

ORDER OF THE TRIBUNAL	
Order No. 11	Dated: 02.04.2013
	<p>None appears for the applicant. It has been submitted on behalf of Mr. Phatik Chandra Das, Id. advocate-on-record for the applicant that he could not appear before the Court due to certain personal difficulties. An adjournment has been sought for on his behalf by Mr. Kalyan Sarkar, Id. advocate. Mr. Dipak Kumar Mukherjee, Id. advocate for the respondents is present and does not raise any objection for such adjournment.</p> <p>We find that this is a matter relating to disability pension and it is unnecessarily being prolonged although counter affidavit has been filed on behalf of the respondents and original Medical Board Proceedings have been filed by Mr. Mukherjee, Id. counsel for the respondents on 18.02.2013. We also find from records that liberty, as sought for by the Id. counsel for the applicant, was granted to him to inspect these documents. We have, however, seen that no such inspection has yet been carried out.</p> <p>We also find from our records that affidavit-in-reply was ready as submitted by Mr. Das, Id. advocate for the applicant on 18.02.2013 but could not be affirmed since his client was in Cooch Behar. Accordingly, Mr. Das had sought for some time which was granted as evident from our order dated 18.02.2013. But till date no A/R has been filed.</p> <p>Be that as it may, since the matter is ready for hearing in all respects, let it be fixed for hearing on 05.07.2013. We make it very clear that the matter will be heard and disposed of on that date on merit with available documents even if the applicant goes unrepresented on that date.</p> <p>A plain copy of the order duly countersigned by the Tribunal Officer be supplied to both the parties after observance of usual formalities.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="width: 45%;"><p>(LT. GEN. K.P.D.SAMANTA) Member (Administrative)</p></div><div style="width: 45%;"><p>(JUSTICE RAGHUNATH RAY) Member (Judicial)</p></div></div>