

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

ORDER SHEET

APPLICATION NO. T. A. No. 91/2011

APPLICANT (S)

Smt. Sunita Devi

RESPONDENT(S)

Union of India & 7 Ors.

Legal Practitioner for Applicant(s)
Mr. Barun Kumar Choudhury

Legal Practitioner for Respondent(s)
Mr. Tapas Kumar Hazra

ORDER OF THE TRIBUNAL	
Order No. <u>10</u>	Dated: 05.04.2013
	<p>Mr. Barun Kumar Choudhury, Id. advocate appears on behalf of the applicant and Mr. Tapas Kumar Hazra, Id. advocate for the respondents is present.</p> <p>This T. A. (T.A. No.91/2011) has arisen out of transfer of writ application No.CWJC 14052 of 2008 from the Hon'ble Patna High Court. We find from the records that the copy of the ibid writ petition is not available with the 2nd Judge's brief. The same was pointed out in our earlier order dated 14.02.2013. But no action has yet been taken by the applicant. 2nd Judge's copy be filed by the next date. In the meanwhile, Mr. Choudhury has submitted an interlocutory application in this T. A., copy of which has also been served upon the opposite side.</p> <p>Mr. Hazra, however, raised an objection to the effect that the interlocutory application relates to a different cause of action than the original writ petition and would have no relevance and, therefore, it is not entertainable in this Tribunal. Be that as it may, let it be kept with the record as prayed for by the Id. counsel for the applicant. But the relevance of this interlocutory application shall be decided at the time of hearing of the T. A.. Mr. Hazra is, however, at liberty to file objection, if any, to this interlocutory application while filing his A/O to the T. A. which has not yet been filed. Mr. Hazra prays for 4 weeks' time to file his A/O. Let it be granted. Mr. Choudhury prays for 4 weeks' time thereafter to file his A/R.</p> <p>In view of the above, let the matter appear for further order on 28.06.2013.</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> <p style="text-align: center;">(LT. GEN. K.P.D.SAMANTA) Member (Administrative)</p> <p style="text-align: center;">(JUSTICE RAGHUNATH RAY) Member (Judicial)</p>