

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

**ORDER SHEET**  
**APPLICATION NO. T. A. No. 75/2011**

<b>APPELLANT (S)</b>	<b>Sunil Kispotta</b>
<b>RESPONDENT(S)</b>	<b>Union of India &amp; 10 Ors.</b>
<b>Legal Practitioner for Appellant(s)</b>	<b>Legal Practitioner for Respondent(s)</b>
<b>None</b>	<b>Mr. Anup Kumar Biswas</b>

<b>ORDER OF THE TRIBUNAL</b>	
	<b>Order No. 19</b> <span style="float: right;"><b>Dated: 05.12.2013</b></span>
	<p>None appears for the appellant on repeated calls. Mr. Anup Kumar Biswas, Id. advocate appearing on behalf of the respondents submits that he had forwarded a copy of the affidavit-in-opposition in this case to the advocate-on-record for the appellant, Mr. Mahesh Kumar Varma on 16.07.2013 but he has received no response thereafter.</p> <p>We find from records that the advocate-on-record for the appellant, Mr. Mahesh Kumar Varma has not been appearing in this case since 16.07.2013 although the matter was listed on four occasions since then. As per instructions contained in our order dated 25.10.2013, the Registry had sent a notice upon the Id. counsel for the appellant, Mr. Mahesh Kumar Varma by registered post with A/D. We, however, find that the envelope was returned by the postal authority with the remark 'insufficient address'.</p> <p>Since it is a criminal appeal matter we are of the view that the matter should be heard on its merit in any case. Be that as it</p>

may, the Registry is directed to send another notice to Mr. Mahesh Kumar Varma, Id. counsel for the appellant and also to the appellant, Sunil Kispotta. The address as given in the vokalatnama should be correctly mentioned while serving such notice. The addresses are as under: -

- 1) Mr. Mahesh Kumar Varma, Advocate  
Jharkhand High Court, Singh More, Premnagar, Room  
No.6, Hatia, Ranchi -3 (Jharkhand). Pin -834 003.  
&  
Jharkhand High Court, Table No.22, Main Hall, Ranchi.  
Pin – 834 003.  
(Mobile No. 09431249963)
- 2) Sunil Kispotta, s/o Late Bhauva Oraon, c/o Sanchariya  
Devi, Village – Chota Talbona, P.O. – Karanourto, P.S.  
– Taljhari, Tehsil – Rajmahal, Dist. Sahibganj,  
Jharkhand  
Pin – 816 139.

Original documents with regard to the GCM have been produced by the respondents on 05.12.2012 and have been kept in the safe custody of Ld. Registrar. The Hindi translation of FIR and other relevant records have been made by the Hindi Translator of this Tribunal. Let it be kept with the record.

We make it very clear that the case will be disposed of on merit with available records in accordance with law even if the appellant or his counsel is absent on the next date.

Under such circumstances, let the matter appear for hearing on 06.03.2014.

(LT. GEN. K.P.D.SAMANTA)  
Member (Administrative)

(JUSTICE RAGHUNATH RAY)  
Member (Judicial)