

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

APPLICATION NO : C. A. No.8/2014
(Arising out of T. A. No.50/2011 – C.W.J.C. No.15803/2007)

APPELLANT (S)	Rect. Manoj Kumar @ Manoj Kumar Pandey
RESPONDENT(S)	General Bikram Singh & 7 Ors.
LEGAL PRACTITIONER FOR APPELLANT(S) Mr. Fulman Singh	LEGAL PRACTITIONER FOR RESPONDENT(S) Mr. S. K. Bhattacharyya

ORDER OF THE TRIBUNAL	
Order No. <u>5</u>	Dated: 17.06.2015
<p>Mr. Fulman Singh, Id. advocate appears on behalf of the applicant and Mr. S. K. Bhattacharyya, Id. advocate for the respondents is present. Major Narendra Singh, OIC, Legal Cell, HQ Bengal Area is also present.</p> <p>Heard Id. counsel for both sides. Question with regard to maintainability has already been decided by the Tribunal vide order dated 10.04.2015. Now facts remain that final order dated 17.07.2013 passed in T. A. No.50/2011 has not been complied with. On 29.04.2015 we have passed the following order :-</p> <p>“Id. Counsel for both sides are present. Let Notice be served on Respondent No.4 to show cause as to why he may not be tried and punished on account of non compliance of the order of this Tribunal dated 17-7-2013 passed in TA No.50/2011. Let the learned counsel for the respondents to ascertain from the respondent No.5 & 6 of TA No.50/2011 i.e. the Director General, EME Dte., South Block, Army HQ, New Delhi and the Officer-in-charge, CCDA(P) G-3 Section Allahabad (UP) respectively, with regard to compliance of the aforesaid order of the Tribunal and also to apprise the Tribunal the particulars of the persons who are dealing with the matter in the Office of DG, EME Dte and CCDA(P) Allahabad.”.</p> <p>Inspite of the aforesaid order the respondents did not furnish the details and apprise the Tribunal with regard to particulars as to who are dealing with the matter in the Office of DG, EME Dte and CCDA(P) Allahabad. However, at this atage, OIC, Legal Cell makes a statement that on account of fault of the office, the order could not be communicated. Let the order be communicated forthwith and be complied with and the required (supra) information be furnished on the next date.</p>	

As prayed for, Mr. Bhattacharyya, Id. adv. for the respondents is allowed three weeks to file parawise reply in the form of counter affidavit to the present contempt petition. One week thereafter is allowed to the applicant to file rejoinder.

List the matter on 27.07.2015 for hearing. Id. counsel for the parties may produce case laws on the next date.

Let a plain copy of the order, duly countersigned by the Tribunal Officer, be furnished to both sides after observance of usual formalities.

(LT GEN GAUTAM MOORTHY)
Member (Administrative)

(JUSTICE DEVI PRASAD SINGH)
Member (Judicial)