

**COURT No.1  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

5.

MA 2117/2018 IN OA 1816/2018

Ex Hav (Hony Nb Sub) Fauji Ram and Ors. .... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr. Anil Srivastava, Advocate  
For Respondents : Mr. Shubham Kaushik, Advocate for  
Mr. S.R. Swain, Advocate

CORAM:

**HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON**

**ORDER**  
**30.11.2018**

MA 2117/2018

During the course of arguments learned counsel for the applicant has drawn my attention to Rule 4 (5) of Armed Forces Tribunal (Procedure Rules) 2008 [for short 'Procedure Rules'] for entertaining the instant application filed under Rule 6 of the Procedure Rules. I am afraid if the instant application can be entertained on the strength of Rule 4(5) of the Procedure Rules, which aspect, in my view, can be considered only by the appropriate Bench.

Faced with this situation, learned counsel for the applicant states that he may be allowed to withdraw the instant application. Request is acceded to. Resultantly the instant application is dismissed as withdrawn. MA 2117/2018 is disposed of accordingly.

List the main matter before the appropriate Bench on 7<sup>th</sup> March, 2019, the date already fixed.

**(VIRENDER SINGH)**  
**CHAIRPERSON**