

COURT NO. 1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

43.

MA 4702/2023 IN OA 1326/2022

Lt Col Devesh Jayant Joshi	Applicant
Versus		
Union of India & Ors.	Respondents

WITH

44.

MA 4807/2023 IN OA 1326/2022

Lt Col Devesh Jayant Joshi	Applicant
Versus		
Union of India & Ors.	Respondents

For Applicant	:	Mr. Indra Sen Singh, Advocate
For Respondents	:	Mr. Anil Gautam, Sr. CGSC

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER
11.12.2023

MA 4702/2023 AND MA 4807/2023

In compliance to the directions issued by this Tribunal in OA 1326/2022 on 16th October, 2023 a communication has been placed before us today wherein the applicant has been promoted to the rank of Col. w.e.f. 14th December, 2021 and further directions have been issued with regard to his posting.

2. Keeping in view the aforesaid, nothing further survives to proceed in the matter. Accordingly, we dispose of MA 4702/2023 and MA No. 4807/2023 filed by the

applicant and Respondents respectively. However, any further order like Part II order to be issued in pursuance to the action taken be issued within a reasonable period of time and all benefits conferred to the applicant.

3. During the course of hearing of the miscellaneous applications on 24th November, 2023 we had indicated our anxiety and intention to take action under Section 340 of the Code of Criminal Procedure. The said observations were made looking into the circumstances that were prevailing on the said date.

4. Now in view of the action taken by the respondents, we do not deem it appropriate to proceed in the matter. All observations made and orders passed in the matter, while considering MA No. 4702/2023 and MA No. 4807/2023 on 24th November, 2023 shall be and are deemed to have been recalled and withdrawn and the same will not in any way affect any officer dealing with the matter.

4. In view of the above, MAs stand dispose of.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[LT GEN C.P. MOHANTY]
MEMBER (A)**