

**COURT No.3
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

25

OA 991/2019

Ex Sgt SK Sharma	Applicant
VERSUS		
Union of India and Ors.	Respondents

For Applicant	:	Ms. Chhavi Yadav, proxy for Mr. Ajit Kakkar, Advocate
For Respondents	:	Dr. Vijendra Singh Mahndiyan, Advocate

CORAM

**HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)**

**ORDER
11.08.2023**

The matter was fixed for final hearing. Before proceeding further, on perusal of the record it is indicated that vide Annexure A-1 placed on record that vide order dated 12.12.2018 of this Tribunal, OA 1984/2018 had been disposed of with direction to the respondents to treat the said OA as a first appeal to be decided within a period of three months vide the speaking order which was to be communicated to the applicant and in the event of the applicant being still aggrieved by the decision, the applicant could take legal recourse.

A perusal of the OA that is presently under considerations indicates that the said appeal was not disposed of even till the

institution of the OA on the date 25.06.2019. Rather, the counter affidavit of the respondents dated 23.06.2020 vide paragraph-4 conspicuously is unaware of the contents of the order and existence of the order dated 12.12.2018 in OA 1984/2018. Counsel for the respondents time to seek instructions.

The original RMB proceedings be produced by the respondents on the next date of hearing with a copy being supplied to the applicant through counsel.

The matter be re-notified for final hearing on **21.08.2023**.

Copy of this order be given ***DASTI*** as prayed.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

POOJA