

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

(Supplementary) 2.

MA 4386/2023 in OA 1661/2022

Col J S Rathore

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Mr. S S Pandey, 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)

O R D E R  
16.10.2023

Heard on MA No. 4386/2023.

2. OA 1661/2022 is pending and is listed for hearing on 7<sup>th</sup> November, 2023.

3. Respondents have not filed their additional affidavit, after amendment, as prayed for by the applicant was allowed on 10.07.2023. It is now prayed in this application that the applicant is retiring on 31<sup>st</sup> December, 2023 and in spite of time having been granted on 10.07.2023, 22.08.2023 and again on 26.09.2023, the respondents have not filed the additional affidavit. Therefore, in case, they do not file the affidavit before the next date, their right to file the same should be closed and matter heard and decided before retirement of the applicant.

4. In view of the above, it is directed that in case, respondents do not file their additional counter affidavit well before the next date i.e., on 07.11.2023, we may proceed to hear the matter without granting them any further opportunity.

5. List this OA on **7<sup>th</sup> November, 2023**, the date already fixed.
6. Original records be kept present for perusal of this Tribunal.
7. MA stands disposed of.

**[RAJENDRA MENON]**  
**CHAIRPERSON**

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

/Jyoti/