

**COURT No.2, ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**22.**

**OA 697/2019 with MA 1570/2019**

**Ex Sgt Durgesh Kumar Sharma**

**... Applicant**

**Versus**

**Union of India & Ors.**

**... Respondents**

**For Applicant** : Mr. U.S. Maurya, Proxy for  
Mr. D.K. Sharma, Advocate

**For Respondents** : Dr. Vijendra Singh Mahndiyan, Advocate

**CORAM:**

**HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)**

**HON'BLE VICE ADMIRAL P. MURUGESAN, MEMBER (A)**

**O R D E R  
06.08.2019**

**M.A. No. 1570 of 2019 :**

Vide this MA, the applicant seeks direction to place on record additional documents.

Since the case is at the admission stage, in the interest of justice, additional documents filed by the applicant are taken on record.

M.A. No. 1570 of 2019 stands disposed of accordingly.

**O.A. No. 697 of 2019 :**

Learned counsel for the applicant has relied upon the order dated 10.04.2012 passed by the Principal Bench in T.A. No. 32 of 2011 [Ex Hav Mohinder Singh Vs. Union of India & Ors.] for submitting that even for claiming interest, OA is maintainable. The matter requires consideration, as such, OA is admitted.

Issue Notice.

Dr. Vijendra Singh Mahndiyan, Advocate accepts notice on behalf of the respondents and seeks two weeks' time to file counter

affidavit. Let the same be filed within two weeks with advance copy to the learned counsel for the applicant, who may file rejoinder, if any, within four weeks thereafter.

List on **13<sup>th</sup> February, 2020** before the Principal Registrar for completion of pleadings.

**[JUSTICE SUNITA GUPTA]**  
**MEMBER (J)**

**[VICE ADMIRAL P. MURUGESAN]**  
**MEMBER (A)**

/ng/