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**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
O.A. No. 335 OF 2011**

IN THE MATTER OF :

Flt Lt. Maneesh Kushwaha & Ors.

.....Applicant

VERSUS

Union of India & Ors.

.....Respondents

Dated: 30.08.2011

Present: Ms. Rekha Palli with Ms. Punam Singh, counsels for the
Applicant

Mr. Ankur Chhibber, counsel for the Respondents

MA No. 318 of 2011 IN OA No. 335/11

Heard and perused the record.

This application has been filed on behalf of applicants though under Rule 25 of the AFT (Procedure) Rules 2008 however during course of submissions it is requested by learned counsel for applicant that it should be treated under Rule 4 Sub Clause 5 of the Armed Forces Tribunal (Procedure) Rules 2008. Learned counsel for the applicant submits that the cause of action as well as the relief sought is of similar nature. She further submits that by applying 2006 policy, grave injustice has been caused to the applicants. It is, therefore, prayed that the present applicants may be allowed to file joint application and pursue their case.

Considering the submissions and facts of the case, we consider it fit to grant provisional permission to the applicants to file joint application subject to objection. Application stands disposed of accordingly.

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We have heard on the merits of the case. Considering the facts of the case and submissions made, we think it is a fit case to issue notice to the respondents. Hence, notice be issued to the respondents why the application not be admitted. Learned counsel appearing on behalf of the respondents accepts the notice. No need to issue the same. He wants time to file the reply. As prayed, six weeks time is granted with direction to supply advance copy of the reply to the applicant. The applicant is free to file the rejoinder within the further period of two weeks, if he so wishes. Respondent side is free to raise objections with regard to filing of joint application as well as point of limitation in their reply.

Put up on **16.11.2011**.

M.L. NAIDU
(Administrative Member)

MANAK MOHTA
(Judicial Member)

Dated: 30.08.2011
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→ C/A & R/A not filed.