

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

22

OA 568/2020 with MA 684/2020

Smt Lachhimi Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Bikrama Sah, proxy for
Mr. US Maurya, Advocate
For Respondents : Mr. Rajeev Kumar, Advocate with
Major Lauv Kumar, OIC, Legal Cell

CORAM

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

**ORDER
12.04.2023**

Time is sought on behalf of the applicant due to non-availability of arguing counsel.

Before proceeding further on a perusal of the counter affidavit filed on behalf of the respondents dated 11.12.2020, the averments made in paragraph 4 of the said counter affidavit commencing from "*That here....*" are directed to be expunged from the record in view of the nature and tenor of the said averments.

Maj Amit Rohagti is directed to be present on the next date of hearing. It is submitted on behalf of the OIC Legal Cell, that the

Maj Amit Rohagti has since moved from the unit and tenders an unconditional apology qua the submission made in paragraph 4, as expunged hereinabove. The said apology is accepted but the copy of this order be sent to the respondents concerned to ensure that averments of the nature as expunged hereinabove are not made.

In view of the submissions that have been made in the counter affidavit in relation to the identity of the deceased spouse of the applicant and of his name being mentioned as “Uday Bahadur Thapa” or “Tek Bahadur Thapa”, the respondents shall ensure the ascertainment of the identity of the deceased spouse of the applicant to process the matter expeditiously without default.

Re-list for final hearing on **03.05.2023**.

**(JUSTICE ANU MALHOTRA)
MEMBER (J)**

**(REAR ADMIRAL DHIREN VIG)
MEMBER (A)**