

COURT No.2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

38.

OA 2048/2024

Sub Lt (SDP) Ram Chander Jain (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Applicant-in-Person
For Respondents : Ms. Nehal Jain, Advocate
With

39.

OA 2042/2024

Sub Lt (SDP) Ram Chander Jain (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Applicant in Person
For Respondents : Mr. R S Chhillar, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)

ORDER
24.02.2025

OA 2048/2024

A weeks time is sought by the respondents to file the counter affidavit, which be so filed accordingly. Costs as imposed vide order dated 05.02.2024 in WP (C) 489/2023 have not been paid by the respondents.

2. It is submitted on behalf of the respondents that the said costs were imposed vide proceedings dated 05.02.2024 in WP (C) 489/2023 of a sum of Rs. 5000/- in view of the non filing of the counter affidavit therein vide order dated 15.05.2024 in the said writ petition, in view of the liberty granted to the petitioner

thereof i.e the applicant herein to seek redressal before the AFT, such costs would be deemed to be waived.

3. In view of the factum that the proceedings in the matter are pending from the date 03.07.2024 and the counter affidavit has not been filed and vide direction dated 20.09.2024, the counter affidavit had been directed to be filed with the costs as imposed in WP(C) 489/2023, the said counter affidavit permitted to be filed within a week herein above is directed to be filed along with the payment of the costs as directed by the said order 20.09.2024. The prayer made that the said costs are not to be paid cannot be accepted.

OA 2042/2024

4. Counsel for the respondents submits that the counter affidavit has been filed on 17.01.2025 vide diary no. 637/2025, copy of which is stated to have been received by the applicant is present in person. The same is however not on the record. Counsel for the respondents may assist the Registry to place the same which shall be taken on record on compliance of directions dated 20.09.2024. No rejoinder is sought to be filed by the applicant.

5. Re-list the matter on **07.04.2025**.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(MS. RASIKA CHAUBE)
MEMBER (A)