

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

22.

OA 333/2015

Lt Cdr Mahesh V Birajdar

..... Petitioner

Versus

Union of India & Ors.

..... Respondents

For petitioner

: Mr.Sukhjinder Singh, Advocate

For respondents

: Mr. R. Balasubramanian ASG

CORAM:

HON'BLE MR. JUSTICE SUNIL HALI, MEMBER

HON'BLE AIR MARSHAL J.N.BURMA, MEMBER

ORDER

18.05.2015

Learned counsel for the respondents has brought the GCM proceedings before this court today which is to be filed in the Registry. The petitioner has filed copy of the orders of the Hon'ble High Court. The grievance of the petitioner is that his conviction and sentence be stayed till disposal of the petition. So far as staying of conviction is concerned, it cannot be done at this stage and in this respect respondents are required to be heard, who may if so choose, file their objections to the same. However, in so far as his suspension of sentence is concerned, we find no difficulty in suspending the sentence. Therefore, the sentence of the petitioner is stayed. The petitioner be released on bail subject to his furnishing bail bond in the sum of Rs.30,000/- with one surety in the like amount to the satisfaction of the Principal Registrar of this Tribunal. On his furnishing the bail bond alongwith one surety, he will be released from the custody. The Principal Registrar of this Bench will communicate this order through fax to the Superintendent, Central Jail, Viyoor, Trichur, Kerala. Certified copy may also be issued to the learned counsel for the petitioner for its production before the concerned authorities. It is specifically made clear that the other part of the judgment regarding the dismissal of the petitioner, is not stayed. Objections be filed by the respondents within four weeks.

List the matter on **24.07.2015. Order dasti.**

**(SUNIL HALI)
MEMBER**

**(J.N.BURMA)
MEMBER**