

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

7.

OA 268/2020 with MA 338/2020

JWO Sanjay Kumar Mishra

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. Ajeet Yadav, Advocate

For Respondents : Mr. Prabodh Kumar, Advocate

CORAM:

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

HON'BLE LT. GEN.PHILIP CAMPOSE, MEMBER (A)

ORDER

11.02.2020

Heard. Admit.

Issue Notice to the respondents on OA as well as MA. Notice is accepted by Mr. Prabodh Kumar, Advocate who seeks time to file counter affidavit. Let the same be filed within four weeks with copy to the counsel for the applicant.

Learned counsel for the applicant seeks stay of order discharging the applicant from service till the disposal of the OA, which has been opposed by the learned counsel for the respondents.

A perusal of the impugned order goes to show that the same has been ^{passed} ~~opposed~~ way back on 08th May 2013. However, the applicant has chosen to approach this Tribunal only after 268 days, therefore, without getting response of the respondents, it is not desirable to pass any order.

Respondents are directed to file their counter affidavit with six weeks with copy to the learned counsel for the applicant.

Re-list on 10th July, 2020 before the Principal Registrar for completion of pleadings.

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN.PHILIP CAMPOSE)
MEMBER (A)

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