

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

31.

OA 2911/2023 with MA 4048/2023

Sgt Mantosh Kumar Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Rakesh Kumar Singh, Advocate with
Mr. Vikash Kumar, Advocate
For Respondents : None for 1 to 4 & None for R-5 & 6

CORAM

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

ORDER
17.05.2024

Respondents No. 5 and 6 have been served with the notice of the OA in terms of the order dated 10.04.2024 and the service report indicating delivery of the posting article is placed on record. Respondents No. 5 and 6 have not chosen to put in appearance despite due service and despite service of the order dated 10.04.2024 on them, whereby it had been specifically observed to the effect that copy of the said order be supplied to the respondents apprising them that in the event of their non-appearance on the date of hearing on receipt of the order dated 10.04.2024, they would be proceeded *ex-parte*. Thus respondents no. 5 and 6 who chose not to put in appearance even on 10.04.2024, despite service on 26.10.2023 and who are not present today also nor are they represented despite service are

thus proceeded *ex-parte*. Four weeks time is sought on behalf of the applicant to file the rejoinder to the counter affidavit filed by the respondents no. 1 and 4 which may be so filed.

The matter be re-notified for hearing on **28.08.2024**.

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

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

Yogita