

**COURT No.1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

102.

OA 940/2019

Hav Nepal Chhatria	Applicant
VERSUS		
Union of India and Ors.	Respondents

For Applicant	:	Mr. V.S. Kadian, Advocate
For Respondents	:	Dr. V.S. Mahandiyan, Advocate

CORAM

**HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)**

**ORDER
12.06.2019**

Conceded position before us is that the applicant has to be discharged from service on 30th June, 2019 and the applicant is not seeking any relief whatsoever in that regard. The only grievance projected herein is with regard to the show cause notice (Annexure A-1) dated 27th May, 2019 originating from a communication dated 4th May, 2018 which, according to learned counsel for the applicant, gives an impression as if respondents are bent upon to take some decision detrimental to the applicant before he is discharged on 30th June, 2019. He has carved out certain grievances, which prima facie, are quite sound for showing indulgence of the Tribunal, therefore notice with regard to issuance of show cause notice only which is accepted by Dr. V.S. Mahandiyan, learned counsel appearing for the respondents making the service complete.

List it again on 16th July, 2019, meanwhile no further action be taken by the respondents with regard to show cause notice served upon the applicant. However, the applicant will file response to the show cause notice within the stipulated period as indicated in para 6 of the show cause notice. We make it clear that interim stay on show cause notice shall not be construed as any expression on discharge of the applicant. We may state here that learned counsel for the respondents has shown his opposition against the interim stay granted by us tooth and nail.

As requested, a copy of this order be provided **DASTI** to learned counsel for both sides.

(VIRENDER SINGH)
CHAIRPERSON

(PHILIP CAMPOSE)
MEMBER (A)

/vks/