

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

22.

OA 179/2015

Sandeep Sharma & Ors. Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. S M Dalal, Advocate
For Respondents : Dr. Vijendra Singh Mahndiyan for R 1-5
& None for R-6, Advocate with
Maj A R Subramaniam, OIC Legal

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE LT GEN P. M HARIZ, MEMBER (A)

ORDER
11.07.2024

In terms of directions dated 01.11.2023 despite the factum that the respondent No. 6 had been proceeded *ex-parte* it was considered necessary in the interest of justice, that the respondent No. 6 be present to participate in the *lis* and thus Court notice was ordered to be issued to the respondent No. 6.

2. Though the said Court Notice has been served on the respondent No. 6 as per the tracking report of the date 01.12.2023, she is still not present.

3. As recorded vide proceedings dated 11.07.2023 to the effect :-

“2. The only question which remains to be decided in this application is as to whether the Death Cum

Retirement Gratuity (DCRG) which was required to be paid to the nominee has been paid or not.

3. As per the Nomination Form available with the respondents, in the event of death of the Nursing Officer, she has made her father as the first nominee and after his death her mother as the second nominee. Since the father had already died, notice had been issued to the mother of the deceased Nursing Officer, there is no appearance on her behalf.”,

in the interest of justice, in view of the repeated absence of the respondent No. 6, the respondents are directed to ascertain the status of the respondent No. 6 and reasons for her non-appearance despite repeated opportunity being granted for the next date of hearing and to assist her in appearance before this Tribunal for the next date.

4. The matter be re-notified for hearing on **20.08.2024**.
5. Copy of this order be given *DASTI* as prayed.

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

**(LT GEN P. M HARIZ)
MEMBER (A)**

Yogita