

**COURT NO. 1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

122.

OA 164/2025 WITH MA 322/2025

Rfn Prem Kumar Thapa (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Kritendra Tiwari, Advocate
For Respondents : Mr. Sundeep Kumar, Advocate for R-1-3
Mr. Anjali Vohra, Advocate for R-4

CORAM

**HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)**

**ORDER
16.04.2025**

Learned counsel appearing for the respondents No.1 to 3 submits that he has filed the counter affidavit. However, the same is not available on record as office has pointed out some defects. He is directed to rectify the defects and bring the same on record within two weeks.

2. Learned counsel appearing for the respondent No.4 points out that even though she has filed the counter affidavit vide Diary No.2320/2025, the same has not been brought on record on account of defects being pointed out. It is her contention that on verification of the same, she has found that the wrong counter affidavit has been filed, she wants to withdraw the same and prays for two more weeks' time to file the correct counter affidavit. She is permitted to do so.

3. Counter affidavit filed vide Diary No.2320/2025 is permitted to be withdrawn and office is directed to return the same to learned counsel for the respondent No.4 who may file a fresh counter affidavit within two weeks.

4. List the matter again on **09.05.2025**.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[RASIKA CHAUBE]
MEMBER (A)**

Neha/RB
OA 164/2025