

**COURT No.3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

13.

OA 1252/2017

Ex. Hony Nb Sub Beer Singh Panwar

.. Applicants

Versus

Union of India & Ors

..... Respondents

For Applicants

: Mr. S. M. Dalal, Advocate

For the Respondents

: None for R 1-2.

Ms. Anjali Vohra, Advocate for R-3

CORAM:

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

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

ORDER

25.07.2018

Learned counsel for the applicant submits that inadvertently, an error is crept in prayer clause (a) wherein, para 58(e) has been typed in place of para 59(e) of Army Order 23/2002. As such, it is submitted that para 58(e) be read as para 59(e) of Army Order 23/2002. Learned counsel for the respondents has no objection in this respect.

2. In view of above, it is clarified that instead of para 58(e) of the prayer clause (a) of the OA, it will be read as para 59(e).

3. Neither counter affidavit has not been filed by Respondents No.1&2 despite granting sufficient number of opportunities nor any explanation is submitted and even no request seeking time to file counter affidavit has been made by them. Under the circumstances, right of Respondents No.1 & 2 to file counter affidavit stands closed.

4. List for regular hearing as per seriatim.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

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

