

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

48.

OA 606/2017 with MA 1524/2017 & 524/2017

Col (TS) Sudeep Roy Applicant
VERSUS Respondents
Union of India and Ors.

For Applicant : Mr. Anil Srivastava, Advocate
For Respondents : Mr. Avdhesh Kumar Singh, Advocate
with Lt Col Ashish Chadha, OIC, Legal Cell

CORAM

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

O R D E R
18.10.2024

In reply to a specific Court query it is stated by Lt Col Ashish Chadha, that the adverse remarks dated 10.09.2003 in relation to the ACR of 2002-2003 against the applicant were never communicated till the statutory complaint dated 02.06.2009 was processed, with it having been submitted on behalf of the respondents that it was not communicated because it was considered as a statement of fact.

2. The respondents have submitted the following records:-

1. File no. 3(41)/2008/D(Medical) Promotion Board (Med) No.3: Army Dental Corps held on 22.12.2008;

2. File no. 3(27)/2009/D(Medical) Promotion Board (Med) No.3: Army Dental Corps held on 17.12.2009;

3. *File no. 3(30)/2010/D(Medical) Promotion Board (Med) No.3: Army Dental Corps held on 23.12.2010;*
4. *File no. 15(74)/2010/D(Medical) in respect of Statutory Complaint dated 02.06.2009 filed by (DR-10444X) Lt Col (TS) Sudeep Roy;*
5. *File no. 15(148)/2015/D(Medical) in respect of Statutory Complaint dated 28.02.2014 filed by (DR-10444X) Lt Col (TS) Sudeep Roy;*
6. *Shadow File no. 3 (18)/2011/D(Medical) Review Promotion Board(Med) No. 3: Army Dental Corps held on 28.06.2011;*
7. *CR Dossier of Col. Sudeep Roy;*
8. *Stat Complaint File PC- 10444X/SC/SR/DGDS-1 Volume I; and*
9. *Stat Complaint File PC- 10444X/SC/SR/DGDS-1 Volume II.*

which records produced are taken on record and are directed to be placed in as sealed cover.

3. Re-list the matter on 05.12.2024 at 12:30 pm.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)