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COURT NO. 3, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

T.A. No. 267 OF 2009
Writ Petition (Civil) No. 2258 of 1996 of Delhi High Court

IN THE MATTER OF :

Ex. Flt. Lt. O.P. Seth

.....Petitioner

VERSUS

Union of India & Ors.

.....Respondents

Dated: 17.12.2009

Present: None for the petitioner.
 Sqn Ldr Ashish Tripathi, officer on behalf of the respondent.

Heard and perused the record.

This case has been transferred from the Hon'ble Delhi High Court vide its order dated 2.9.2009 and the parties were directed to appear before this Tribunal on 16.11.2009. None appeared on behalf of the petitioner. Notices were sent to the petitioner and the counsel appearing before the Hon'ble Delhi High Court.

The notice sent to the petitioner has been received back with endorsement that the petitioner has died on 24.9.2006. Today none appeared on behalf of the petitioner.

Officer appearing on behalf of the respondent states that as per the direction of the Hon'ble Delhi High court pay and emoluments of the petitioner were revised and on 5.1.2001 on finalisation of his pay and emoluments a cheque for Rs. 44,319/- was sent to the petitioner at his given address. Learned officer also stated that no dues are pending to be paid to the petitioner and requested to dismiss the petition.

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Considering the submissions and as the dues has been cleared and the petitioner has died.

The application is dismissed as abated.

MANAK MOHTA,
(Judicial Member)

Z.U. SHAH,
(Administrative Member)

Dated: 17-12-2009