

IN THE ARMED FORCES TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI

TA No.532/2009

[WP (Civil) No.2139/1998 of Delhi High Court]

Maj. Ashwath Kumar B.

.....Petitioner

Versus

Union of India & Others

.....Respondents

For petitioner: None.

For respondents: Lt. Col. S. George.

**CORAM:**

HON'BLE MR. JUSTICE A.K. MATHUR, CHAIRPERSON.  
HON'BLE LT. GEN. M.L. NAIDU, MEMBER.

**ORDER**

1. None appears for petitioner. This matter pertains to the year 1998 and it has come to this Tribunal on transfer from Hon'ble Delhi High court.
2. Petitioner did not pass Part-B Examination within prescribed <sup>period</sup> limit and therefore his services were terminated due to non-passing of promotional examination. This case is fully covered by the decision of the Apex Court given in the case of **Union of India Vs. Captain Jagpal Singh – MLJ 1997 SC 147.** Consequently, we do not find any merit the petition. Petition is dismissed.

A.K. MATHUR  
(Chairperson)

M.L. NAIDU  
(Member)

New Delhi  
December 16, 2009