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

O.A. No. 144 OF 2010

IN THE MATTER OF :

Sgt. R.K. Swain

.....Applicant

VERSUS

Union of India & Ors.

.....Respondents

Dated: 19-03-2010

Present: Mr. V.S. Tomar, counsel for the Applicant.

Mr. Ankur Chhibber, counsel for the Respondents with Flight
Lt. Vishal Chopra.

Heard and perused the record.

Learned counsel for the Respondents placed a copy of order dated 02-06-2009 passed on the review application dated 22-12-2008 of the Applicant. Copy of the same has also been supplied to the learned counsel for the Applicant.

At this stage, learned counsel for the Applicant wants to withdraw the present application with the liberty to file fresh application adding the submissions on the basis of aforesaid order.

Considering the facts of the case and submissions of the learned counsel for the Applicant, present application is dismissed as withdrawn with the aforesaid liberty.

**MANAK MOHTA,
(Judicial Member)**

**Z.U. SHAH,
(Administrative Member)**

Dated: 19-03-2010