

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

O.A. No. 145 OF 2010

IN THE MATTER OF :

Gp. Capt. A.K. Dwivedi

.....Applicant

VERSUS

Union of India & Ors.

.....Respondents

Dated: 12-03-2010

Present: Mr. Keshav Kaushik, counsel for the Applicant.
 Mr. Ankur Chhibber, counsel for the Respondents.

Heard and perused the record.

Learned counsel for the Applicant submits that before filing this application, Applicant has moved statutory complaint before the concerned authority on 02-12-2009 but that was not disposed of. He further submits that today itself in the morning, Applicant has been conveyed the outcome of the statutory complaint. Learned counsel for the Applicant wants to move his statutory complaint to the Central Government for redressal as per para 622(j) of the Air Force Regulations 1964. Therefore, he wants to withdraw the present application with liberty to file fresh application before this Hon'ble Tribunal as and when needed. He further submits that Applicant shall move his statutory complaint with the competent authority to forward the same to the Central Government within two days from today and in the interest of justice, direction may be issued to the Respondents that the statutory complaint of the Applicant may be disposed of within one month from its date of filing.

Learned counsel for the Respondents submits that statutory complaint of the Applicant was disposed on 10-02-2010 however the outcome of the statutory complaint was not received by the Applicant earlier which has been received by him today itself. He further submits that he has no objection if the Applicant wants to move to the Central Government. However he requests that at least three months time may be provided to the Respondents to dispose of the statutory complaint, if any filed by the Applicant with the Central Government from the date of filing.

Considering the above submissions and the facts of the case, present application is dismissed as withdrawn with the liberty to the Applicant to file fresh application before this Tribunal as and when needed. Further Respondents are directed to decide such statutory complaint, if filed by the Applicant expeditiously preferably within two months from the date of its filing. File be consigned to the Record Room.

MANAK MOHTA,
(Judicial Member)

Z.U. SHAH,
(Administrative Member)

Dated: 12-03-2010