

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

T.A. No. 287 OF 2009

(WP(C) No. 1639 OF 1997 of Delhi High Court)

IN THE MATTER OF :

Lt. Col. T S Payal

.....Applicant

VERSUS

Union of India & Others

.....Respondents

Dated: 21-01-2010

Present: None for the Applicant.

Col R. Balasubramanian (Rtd), Counsel for the Respondents.

Perused the record.

Learned counsel for the Respondents produced the written clarification on the basis of record of Military Secretary Branch whereby Applicant has been sanctioned pre matured retirement on 06-10-1998. He further requests that since the Applicant is no more in service, therefore, present application may be dismissed.

Considering the facts of the case and submissions of the learned counsel for the Respondents, no fruitful purpose shall be served in keeping the present case pending. Hence, present application is dismissed for non prosecution. File be consigned to Record Room.

**MANAK MOHTA,
(Judicial Member)**

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

Dated: 21-01-2010