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

T.A. No. 301 OF 2009

(WP(C) No. 2399 OF 1997 of Delhi High Court)

IN THE MATTER OF :

Surgeon Commander R. Panda

.....Applicant

VERSUS

Union of India & Others

.....Respondents

Dated: 25-02-2010

Present: None for the Applicant.
 Mr. Anil Gautam, proxy for Ms. Jyoti Singh, counsel for the
 Respondents.

Perused the record.

Despite several notices, none appeared on behalf of the Applicant. From the perusal of the record, it reveals that Applicant has challenged the order of promotion. It is further revealed from the record that Applicant ^{has} ~~is~~ retired from the services.

Considering the facts of the case as none appeared on behalf of the Applicant despite several notices, no fruitful purpose shall be served in keeping this case pending. Hence, in these circumstances, without observing anything on the merits of the case, case is dismissed for non appearance and non prosecution. File be consigned to Record Room.

**MANAK MOHTA,
(Judicial Member)**

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

Dated: 25-02-2010