

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

T.A. No. 389 OF 2009

WP(C) No. 4872 OF 1997 of Delhi High Court

IN THE MATTER OF :

Eg. Officer Vinod Pathak

.....Applicant

VERSUS

Union of India & Others

.....Respondents

Dated: 08-01-2010

Present: None for the Applicant.

Sqn. Leader Ashish Tripathi on behalf of the Respondents.

Heard and perused the record.

The notice issued to the Applicant on the previous date received back unserved and also notice issued to the counsel for the Applicant did not receive back. Learned officer appearing on behalf of the Respondents submits that by way of the present application, the Applicant has challenged the show cause notice dated 04-06-1997. He further submits that Applicant was engaged for short service commission in the Indian Air Force on 10-06-1992 and in the year 1998 he completed his tenure of short service commission. Thereafter he is no more in service. He further requests that no fruitful purpose will be served in keeping the present application pending, therefore, same may be dismissed as infructutous .

Considering the facts of the case and the above submissions, we are of the opinion that no fruitful purpose shall be served in keeping the present application pending, therefore, same is dismissed for non-prosecution. File be consigned to the Record Room.

**MANAK MOHTA,
(Judicial Member)**

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

Dated: 08-01-2010