

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

T.A. No. 409 OF 2010

WP(C) No. 374 OF 2008 of Delhi High Court

IN THE MATTER OF :

Sub. Ashok Kumar Dwivedi

.....Applicant

VERSUS

Union of India & Ors.

.....Respondents

Dated: 29-04-2010

Present: None for the Applicant.

Ms. Barkha Babbar, counsel for the Respondents with Maj. Ajeen.

Perused the record.

Despite notice, none appeared on behalf of the Applicant. A perusal of the case reveals that by way of present application, Applicant has challenged the discharge order and sought prayer for reinstatement. Learned counsel for the Respondents submits that as per instructions during the pendency of the present petition, Applicant has been reinstated in the service. She also placed photocopies of relevant record in this regard. She requests that since no cause of action subsists, therefore, present application may be dismissed. Considering the facts of the case as none appeared on behalf of the Applicant despite notice, 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. File be consigned to Record Room. No order as to costs.

**MANAK MOHTA,
(Judicial Member)**

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

Dated: 29-04-2010