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

T.A. No. 573 OF 2009

WP(C) No. 2425 OF 1999 of Delhi High Court

IN THE MATTER OF :

Sgt. Shanker Dayal Roy

.....Applicant

VERSUS

Union of India & Others

.....Respondents

Dated: 03-03-2010

Present: None for the Applicant.
 Mr. Ankur Chhibber, counsel for the Respondents.

Perused the record.

Despite notice, none appeared on behalf of the Applicant. From the perusal of the record, it reveals that Applicant has challenged the discharge order and sought prayer with regard to the extension of service. Learned counsel for the Respondents submits that term of engagement of the Applicant has already been expired long back on 14-11-1999 and he is no more on roll. He 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.

**MANAK MOHTA,
(Judicial Member)**

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

Dated: 03-03-2010