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

T.A. No. 636 OF 2009

WP(C) No. 5426 OF 2000 of Delhi High Court

IN THE MATTER OF :

Lt. Cdr. Deepak Dhar

.....Applicant

VERSUS

Union of India & Others

.....Respondents

Dated: 11-03-2010

Present: None for the Applicant.
 Mr. Umesh P. Wadhwani, counsel for the Applicant with
 Lt. Commander Varun Singh.

Perused the case.

This case has been transferred from the Hon'ble Delhi High Court. Despite notice none has appeared on behalf of the Applicant. From the perusal of records, it seems that Applicant has challenged the order of promotion. Learned officer appearing on behalf of the Respondents submits that Applicant has been promoted to the rank of Commander and thereafter he took premature retirement from service on 26-12-2007. Learned officer produced a copy of the order dated 26-12-2007 in this regard. 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: 11-03-2010