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**COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
O.A. No. 241 OF 2010**

IN THE MATTER OF :

Harishankar Yadav, Ex-Hav.

.....Applicant

VERSUS

Union of India & Ors.

.....Respondents

Dated: 23.08.2011

Present: Mr. Yogesh Pachauri, counsel for the applicant.
Mr. Anil Gautam, counsel for the respondents.

Heard and perused the record.

It is stated by learned counsel for the applicant that the applicant has reported to army authorities on 06.05.2011 and thereafter, he is continuously serving. It is further alleged that there are desertion proceedings still pending against him. Learned counsel for the applicant states that the applicant is ready to face the same. On the contrary, a request is made that the pay and allowances for the period during which he remain in service before desertion or thereafter w.e.f. 06.05.2011 be directed to be paid to the applicant. A further request is made that desertion proceeding, if any, pending be disposed off expeditiously.

We have heard learned counsel for the respondents. He agrees to this extent that the applicant is entitled for pay and allowances for the period

during which he remained on duty. Respondents are directed to make payment of the pay and allowances to the applicant as per his entitlement. The due payment may be made within a period of one month.

Further, in the interest of justice, it is directed that the desertion proceedings, if any, pending or continuing be disposed of as early as possible.

With these observations, nothing remains in this matter, at this stage, for adjudication of this application. The same is, accordingly, disposed of. No orders as to costs.

M.L. NAIDU
(Administrative Member)

MANAK MOHTA
(Judicial Member)

Dated: 23.08.2011
rsk