

#4

COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
O.A. No.14 of 2012 with M.A. No.17 of 2012

IN THE MATTER OF:

Laldeo Prasad

.....Applicant

VERSUS

Union of India & Ors.

.....Respondents

Dated: 12.01.2012

Present: Mr. Yogesh Pachauri, counsel for the applicant.
Mr. S.K. Sethi, counsel for the respondents.

Heard and perused the record.

From the perusal of record, it is revealed that the applicant was discharged on completion of his normal period of engagement on 30.11.2010. Prior to that he also filed a statutory complaint/representation on 24.05.2010 stating that his batchmates have been promoted, but he had not been promoted.

During the course of submissions, learned counsel for the applicant admitted the fact that the applicant had failed in the promotion exams conducted in July 2008, February 2009 and June 2009. He submitted that his request to show answer sheets, which were not acceded to and on this ground alone he is taking a plea that he was wrongly declared failed.

We have considered the submissions made by learned counsel for the applicant and are not in agreement with him. The applicant failed thrice

in the exams conducted for promotion. Thereafter, he filed representation and the same was rejected on 13.09.2010. Despite that he had not taken any action at appropriate time. Though he served legal notice and that too was rejected.

Considering these facts, no case is made out, we are not inclined to entertain this application and to issue notice. The applicant has not suffered any sort of prejudice and he has been given full pensionary benefits as per his entitlement.

O.A. stands disposed of, accordingly. No orders as to costs. File be consigned to Record Room.

M.L. NAIDU
(Administrative Member)

MANAK MOHTA
(Judicial Member)

Dated: 12.01.2012
rsk