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COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

TA No.334/10

W.P.(C) No.8142/04

IN THE MATTER OF:

Ex AC(U/T) Anil Kumar

.....Applicant

VERSUS

Union of India & Ors.

.....Respondents

Dated: 01.02.2012

Present: Ms. Vandana Sharma proxy counsel for Mr. D.K. Sharma
counsel for the applicant
Mr. S.P. Sharma proxy counsel for Dr. Ashwani Bhardwaj
counsel for the respondents alongwith Wg Cdr Sunit
Tripathi for respondents

Heard and perused the record.

Learned proxy counsel appearing on behalf of the main counsel for the applicant states that the new policy for re-induction in the Air Force has come into force but that has been made applicable prospectively i.e., from 11.05.2011. Learned proxy counsel for the applicant states that it is a beneficial policy and it should have been made effective retrospectively. At least the benefit of this policy should have been given to the persons who have agitated this matter before the Court as only on their initiation the policy has been modified.

Learned proxy counsel for the applicant further states that in the present petition the policy which has been made effective prospectively has not been agitated, therefore, applicant wants to withdraw this petition and to file the fresh petition challenging the applicability of the new policy. A request is made that liberty be granted to withdraw this petition and to file the fresh petition.

Considering her prayer, this petition is hereby dismissed as withdrawn with the liberty that the applicant side is free to file the fresh petition challenging the new policy, if they so desire. Present T.A. stands disposed off accordingly. No orders as to costs.

M.L. NAIDU
(Administrative Member)

MANAK MOHTA
(Judicial Member)

Dated: 01.02.2012
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