

**COURT No.2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

11.

MA 153/2017 in OA 1421/2016

Maj T Prakash

..... **Petitioner**

Versus

Union of India & Ors.

..... **Respondents**

For petitioner : Mr. Rajiv Manglik, Advocate

For respondents : Mr. V. Pattabhi Ram, Advocate

CORAM:

HON'BLE MR. JUSTICE BABU MATHEW P. JOSEPH, MEMBER (J)

HON'BLE LT. GEN. S.K. SINGH, MEMBER (A)

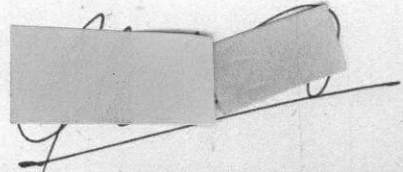
ORDER

09.02.2017

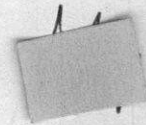
1. Heard Shri Rajiv Manglik, learned counsel appearing for the applicant, and Shri V. Pattabhi Ram, learned Central Government Senior Panel Counsel appearing for the respondents.
2. Learned counsel for the applicant submits that the applicant has a very good case to be prosecuted in this O.A. His date of retirement is 07.03.2017. If he retires on 07.03.2017 his case for getting Permanent Commission will be affected. Therefore, he prays for staying the retirement of the applicant.
3. Shri V. Pattabhi Ram has strongly opposed the prayer of the applicant. According to him, his case for Permanent Commission is not supported by any legal contention.
4. Having heard both the sides, we are of the view that the retirement of the applicant on 07.03.2017 shall be made subject to the outcome of this original application.

5. Therefore, the retirement of the applicant on 07.03.2017 will be subject to the outcome of this original application.

6. M.A. is closed.



(JUSTICE BABU MATHEW P. JOSEPH)
MEMBER (J)



(LT. GEN. S.K. SINGH)
MEMBER (A)

09.02.2017 /mlb