

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

6.  
**MA 962/2018 in OA 597/2018**

**Ex.CPO RC Ramphal** ..... Applicant  
**Versus**  
**Union of India & Ors** ..... Respondents

**For Applicant** :Mr. S.C.Tomar, Advocate  
**For Respondents** :Mr.Prabodh Kumar, Advocate

**CORAM:**  
**HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)**  
**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**14.08.2018**

**MA 962/2018**

By way of this application, respondents seek waiver of cost of Rs. 5,000/- imposed vide order dated 08.05.2018 on the ground that the JAG officer Lt Cdr Seema Chaudhary was present in the court along with medical records. However, she could not attend when the case was being heard as she was present in Court No. 2. As a result, the relevant documents could not be produced before the Tribunal and the cost of Rs. 5000/- was imposed on respondents.

2. At the outset, it may be mentioned that there is nothing to substantiate the averments made in the application that the JAG officer Lt Cdr Seema Chaudhary had come to the court along with record but could not appear as she was present in Court No. 2. In case she had come to the Tribunal she could have

informed to the OIC, Legal Cell. Moreover, the application is not even supported by <sup>her</sup> the affidavit but the affidavit of Capt. V.K. Gupta, officer in-charge has been filed who would not be having personal knowledge of the proceedings on that date. Under the circumstances, there are no grounds for waiver of cost of Rs. 5,000/-.

3. Accordingly, the application is dismissed.

(JUSTICE SUNITA GUPTA)  
MEMBER (J)

(LT. GEN. PHILIP CAMPOSE)  
MEMBER (A)

sudha