

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

17.

OA 433/2018 with MA 1433/2018

**Ex Rect Dande Dipak Pramod
Versus**

... Applicant

Union of India & Ors.

...Respondents

For Applicant : Ms. Archana Ramesh, Advocate

For Respondents : Mr. S P Sharma for R 1-4
Ms. Anjali Vohra for R-5, Advocates

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

ORDER
26.03.2019

MA 1433/2018:

By virtue of this MA, respondent No.5 seeks condonation of delay of 19 days in filling counter affidavit.

2. In view of the facts carved out in the application, delay in filing counter affidavit by respondent No.5 is condoned and the same is taken on record.

3. MA stands disposed off.

OA 433/2018:

Counter affidavit has not been filed by respondents No.1-4 despite several opportunities.

2. Learned counsel for the respondents submits that despite the fact that he had written three letters to the Records, Mahar Regiment inviting comments but the same have not been sent till date.

3. The concerned officer from Records, Mahar Regiment, is directed to be personally present on the next date of hearing to explain as to why the comments have not been sent.
4. Counter affidavit be filed within four weeks' with a copy to the applicant.
5. Rejoinder, if any, be filed within four weeks' thereafter.
6. Relist on **31.07.2019**.
7. Copy of this order be given "**DASTI**".

(JUSTICE SUNITA GUPTA)
MEMBER (J)

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

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