

COURT No.1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

14.

OA 1398/2019

Nb Sub Muralidharan B	Applicant
VERSUS		
Union of India and Ors.	Respondents

For Applicants : Mr. Ajit Kakkar, Advocate
For Respondents : Mr. Tarunvir Singh Khehar, Advocate

CORAM:

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)

ORDER
04.02.2020

Today during the course of hearing, Mr. Ajit Kakkar, learned counsel for the applicant, has invited our attention to a communication dated 24th March, 2017, issued by the Chief Record Office indicating that so called disciplinary proceedings which were initiated against the applicant and pending have been closed by the Headquarter, 22 Arty Bde (A) way back in March 2017. If that be so, the entire stand of the respondents in the counter affidavit becomes doubtful and, prima facie, if things are as indicated in this letter, denial of promotion to the applicant would be unsustainable. However, before proceeding with the matter, we direct learned counsel for the applicant to bring this letter on record with a copy to learned counsel for the respondents, during the course of the day, who may seek

instructions and give his say on the said communication within a week.

Adjourned and list again on 12th February, 2020.

A copy of this order be provided **DASTI** to learned counsel for the parties.

(RAJENDRA MENON)
CHAIRPERSON

(PHILIP CAMPOSE)
MEMBER (A)

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