

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

14.

OA 1398/2019

Nb Sub Muralidharan

..... Applicant

VERSUS

Union of India and Ors.

..... Respondents

For Applicant : Mr. Ajit Kakkar, Advocate

For Respondents : Mr. Tarunvir Singh Khehar, Advocate

CORAM:

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE AIR MARSHAL B.B.P. SINHA, MEMBER (A)

ORDER

12.02.2020

After the communication dated 24th March, 2017 was brought on record by the applicant on the last date and we had passed an order on 4th February, 2020 asking the respondents to explain as to how if the disciplinary proceedings have been closed, clearance of promotion has not been granted, today Mr. Tarunvir Singh Khehar, learned counsel for the respondents, has brought to our notice a communication received by him from the office of OIC, Legal Cell, OIC Records indicating various factors and in para 6 of the said status report indications are made with regard to the disciplinary proceedings pending against the applicant, recording of summary evidence in progress and the attachment with a particular regiment.

Taking note of all these factors, we direct the respondents to bring on record a detailed affidavit clarifying the position as to what were the proceedings that were closed on 24th March, 2017

and what are the proceedings now pending and how the pendency of the present proceedings come in the way of the applicant. Let the position be clarified by way of affidavit of a competent officer. We grant ten days time to file the affidavit.

List on 26th February, 2020.

(RAJENDRA MENON)
CHAIRPERSON

(B.B.P. SINHA)
MEMBER (A)

/vks/