

ARMED FORCES TRIBUNAL, REGIONAL BENCH, CHENNAI

O.A.No.105 of 2013

Thursday, the 25th day of July, 2013

THE HONOURABLE JUSTICE V. PERIYA KARUPPIAH
(MEMBER-JUDICIAL)

AND

THE HONOURABLE LT GEN (RETD) ANAND MOHAN VERMA
(MEMBER-ADMINISTRATIVE)

IC-35927 A Col (Retd) C N Reddy,
S/o. Late C Adi Reddy, Aged 54 years,
Occu: Retd Army Officer,
R/o. Plot No.38, Phase-II,
Bhanu Enclave, Yapral,
Secunderabad-500 087,
Last Posting: NCC Group HQ, Kanpur.

... Applicant

By Legal Practitioner:
Ms. Tonifia Miranda

Vs.

1. Government of India,
Rep. by Ministry of Defence,
New Delhi.
2. Chief of Army Staff,
Army HQ,
New Delhi.

... Respondents

By None

ORDER

(Order of the Tribunal made by
Hon'ble Justice V. Periya Karuppiah,
Member(Judicial)

1. Heard Ms. Tonifia Miranda, Learned Counsel for the applicant, on admission.
2. While submitting arguments regarding admission, the Learned Counsel would state that she may be permitted to withdraw the application with liberty to exhaust the remedies of the applicant before the Ministry of Defence and suitable directions may be issued for filing the fresh Original Application on the same cause of action and on the appeal likely to be preferred by the applicant before this Tribunal. She also wishes to make endorsement in the Original Application. Accordingly we permit the Learned Counsel for the applicant to make endorsement to that effect.
3. On consideration of the submission made by the Learned Counsel for the applicant and also the endorsement made by her, the applicant is given liberty to file fresh application after exhausting the remedy before the Ministry of Defence as endorsed by the Learned Counsel for the applicant and time for preferring the said appeal before the appropriate authority is one month from this date. The appropriate authorities may dispose of the

appeal likely to be filed by the applicant as expeditiously as possible within three months.

4. With the aforesaid observations, the application is dismissed as withdrawn with the aforesaid liberty to the applicant.

Sd/-
LT GEN (Retd) ANAND MOHAN VERMA
(MEMBER-ADMINISTRATIVE)

Sd/-
JUSTICE V.PERIYA KARUPPIAH
(MEMBER-JUDICIAL)

25.7.2013
(True Copy)

Member (J) – Index : Yes / No
Member (A) – Index : Yes / No

Internet : Yes / No
Internet : Yes / No

NCS

To,

1. Ministry of Defence,
Government of India,
New Delhi.
2. The Chief of Army Staff,
Army HQ,
New Delhi.
3. Ms. Tonifia Miranda,
Counsel for applicant.
4. OIC, Legal Cell (Army),
ATNK & K Area HQ,
Chennai.
5. Library, AFT, Chennai.

**HON'BLE MR.JUSTICE V. PERIYA KARUPPIAH
MEMBER (JUDICIAL)
AND
HON'BLE LT GEN (RETD) ANAND MOHAN VERMA
MEMBER (ADMINISTRATIVE)**

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