

ARMED FORCES TRIBUNAL REGIONAL BENCH, KOCHI  
T.A.NO. 10 of 20 11  
(WP(C) 2576 of 2008 of the High Court of Karnataka at Bangalore)

MONDAY, THE 4TH DAY OF MATRCH, 2012/13TH PHALGUNA, 1934

CORAM:

HON'BLE MR. JUSTICE SHRIKANT TRIPATHI, MEMBER (J)  
HON'BLE LT.GE.THOMAS MATHEW, PVSM, AVSM, MEMBER (A)

APPLICANT:

PREMANATHAN.K. JC – 307950 W  
S/O.LATE KRISHNAN NAIR, AGED ABOUT 42 YEARS,  
NAIB SUBEDAR, TRAINING BATTALION-I,  
MADRAS ENGINEER GROUP, BANGALORE – 560 042,  
RESIDENT OF QUARTERS .NO.17/3  
MEANEE LINES, MEG & CENTRE, BANGALORE-560 042.

BY ADV.SRI.BASAVARAJ VEERABHADRA.

VERSUS

RESPONDENTS:

1. THE OFFICER IN CHARGE,  
RECORDS OFFICE,  
MADRAS ENGINEER GROUP AND CENTRE,  
PIN 900 450, C/O.56 APO.
2. THE COMMANDING OFFICER,  
TRAINING BATTALION – i,  
MADRAS ENGINEER GROUP AND CENTRE,  
SHIVAN CHETTY GARDEN .P.O.,  
BANGALORE – 560 042.
3. THE UNION OF INDIA,  
MINISTRY OF DEFENCE  
REPRESENTED BY ITS SECRETARY,  
SOUTH BLOCK, NEW DELHI – 110 011.
4. THE INTEGRATED HEADQUARTERS OF  
MINISTRY OF DEFENCE (ARMY),  
E – IN - C BRANCH, DHQ.P.O.,  
NEW DELHI – 110 001.
5. THE INTEGRATED HEADQUARTERS OF  
MINISTRY OF DEFENCE (ARMY),  
ADJUTANT GENERAL BRANCH,  
D.H.Q.P.O., NEW DELHI – 110 001.

BY SMT.E.V.MOLY, CENTRAL GOVT,. COUNSEL

O R D E R

Shrikant Tripathi, Member (J):

1. None is present for the applicant. A notice was sent to him through speed post which has been served, but despite that none appeared on his behalf.

2. Heard Smt.E.V.Moly for the respondents and perused the record.

3. The applicant Premanathan.K. JC 307950 W filed W.P.No.2576 of 2008 in the Karnataka High Court for quashing the discharge order No.1363/CA/Stats-1/DO/LMC/MAR 2008/J/07 dated 3<sup>rd</sup> October, 2007 (Annexure A1). In view of constitution of Armed Forces Tribunal, the Hon'ble High Court of Karnataka transferred the writ petition to the Bench as per the provisions contained in section 34 of the Armed Forces Tribunal Act. Accordingly on receipt of the record of the writ petition, the matter was registered here as TA.No.10 of 2011.

4. The respondents have filed counter affidavit in

which they have set up the case that subsequent to the filing of the writ petition, the applicant was reinstated in service and was in due course promoted to the rank of Subedar and ultimately retired on attaining the age of superannuation. Therefore, the grievance whatsoever raised by the applicant stood resolved.

5. In view of the aforesaid, the Transferred Application is dismissed.

6. There will be no order as to costs.

7. Issue copy of the order to both side.

Sd/-

LT.GEN.THOMAS MATHEW  
MEMBER (A)

Sd/-

JUSTICE SHRIKANT TRIPATHI  
MEMBER (J)

an

(true copy)

Prl.Pvt.Secretary