

| Notes of the Registry | Orders of the Tribunal |
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| | <p style="text-align: center;">IN THE ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI.</p> <p style="text-align: center;"><u>TA 01 OF 2015</u> (AAO WP(C) 1311/2003)</p> <p style="text-align: center;">Ex-Sep Munifat Ali</p> <p style="text-align: right;">..... Applicant Legal practitioners for the Applicant Ms. Rita Devi Mr. AR Tahbildar</p> <p style="text-align: center;">- Versus -</p> <p style="text-align: center;">Union of India & Ors</p> <p style="text-align: right;">.....Respondents Legal practitioner for the Respondents Mr. DC Chakravarty, CGSC</p> <p style="text-align: center;"><u>P R E S E N T</u></p> <p style="text-align: center;">HON'BLE MR. JUSTICE B.P. KATAKEY, MEMBER (J) HON'BLE AIR MARSHAL J.N. BURMA, MEMBER (A)</p> <p style="text-align: center;"><u>O R D E R</u></p> <p><u>15.06.2016</u></p> <p>1. Major Dibakar Chandra, appearing for the respondents has submitted that he has all the relevant records relating to the SCM conducted against the applicant. It has also been submitted that since in the Writ Petition filed by the applicant, which has subsequently been transferred to this Tribunal and numbered as TA-01 of 2015, no pleading has been made relating to the sufficiency or otherwise of the evidence on record for holding the applicant guilty, the respondents are not ready for hearing of the appeal on merit.</p> <p>2. It has also been submitted that the applicant, if so advised, may also file appropriate application seeking amendment of the pleading.</p> |

3. Ms. Rita Devi, learned counsel appearing for the applicant, submits that in the Writ Petition filed before the Hon'ble High Court, no pleading was raised relating to the sufficiency or otherwise of the evidence on record to record the finding of guilt against the applicant. Learned counsel submits that the applicant now be permitted to file appropriate application seeking amendment of the pleading raising the plea of sufficiency of evidence for recording the finding of guilt.

4. Having regard to the aforesaid submission advanced, the case is adjourned till **19.07.2016**. The applicant, in the meantime, may file the appropriate application seeking amendment of the pleading.

5. Major Dibakar Chandra, shall produce the relevant records of the SCM before this Tribunal on the next date fixed.

MEMBER (A)

MEMBER(J)

Kalita