

Notes of the Registry	Orders of the Tribunal.
	<p style="text-align: center;">IN THE ARMED FORCES TRIBUNAL, REGIONAL BENCH, GUWAHATI</p> <p style="text-align: center;">OA-20-2017</p> <p>Sub/CIK(SD) Raghunath Das Vishwakarma</p> <p style="text-align: right;">... Applicant.</p> <p style="text-align: right;">By legal practitioners for Applicant. Mr. Bijan Chakraborty Mrs Purabi Hazarika Ms Pritismita Sarma</p> <p style="text-align: center;">-Versus-</p> <p>UOI & Others.</p> <p style="text-align: right;">.... Respondents</p> <p style="text-align: right;">By legal practitioner for Respondents. Brig. N Deka (Retd), CGSC</p> <p style="text-align: center;"><u>PRESENT</u></p> <p style="text-align: center;">HON`BLE DR.(MRS) JUSTICE INDIRA SHAH, MEMBER (J) HON`BLE LT GEN GAUTAM MOORTHY, MEMBER (A)</p> <p style="text-align: center;"><u>ORDER</u></p> <p><u>11.09.2018</u></p> <ol style="list-style-type: none"> 1. Heard Mr. Bijan Chakraborty, learned counsel appearing for the applicant and Brig N. Deka (Retd), learned CGSC assisted by Capt Akash Vashishta, OIC, AFT Legal Cell, appearing on behalf of the respondents. 2. The counsel for the respondents have produced a letter from Records 58 Gorkha Rifles dated 11.8.2018. According to the respondents, " <i>IHQ of MoD (Army) has clarified vide their letter No. A/20178/ACR/193/MP-8 (I of R) (A) dt 08 Aug 2018 that exception has been made to the provision contained in Para 10(a) of the Army Order No. 1/2002/MP dt 05.07.2012, keeping in view, the less service of the section officers (Immediate Supervise Officer) and not having adequate experience to initiate ACRs of the JCOs (who have considerable large years of service) Group Officers were authorised to initiate the ACRs of all JCOs of Records Office. Copy of the reply of IHQ of MoD (Army) attached.</i>" 3. However, copy of the IHQ of Mod (Army) letter of 08 Aug 2018 is not found attached.

4. Be that as it may, respondents are directed to submit both the letters by way of an affidavit along with Organisational Chart of the Records Office 58 Gorkha Rifles as was prevailing at that time.
5. They are also required to submit DO Part I nominating Capt VV Kilari as Group Officer.
6. Respondents are further directed to produce the records of inter se seniority between Capt. VV Kilari and Capt I.B.Mazumdar along with records showing details of number of days served by the applicant under each officer.
7. The same be submitted by the respondents within a period of 3 weeks.
8. List the case when this Bench reassembles next.
9. Order dasti.

MEMBER(A)

MEMBER (J)

MC

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