

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;"><u>O.A. (A) 16/2016</u></p> <p>Ex-Rfn Gokul Kumar Chhetri</p> <p style="text-align: right;">Applicants. By legal practitioner for Applicant. Mr Irshad Adhmed.</p> <p style="text-align: center;">-Versus-</p> <p>Union of India & Ors.</p> <p style="text-align: right;">Respondent By legal practitioners for Respondents. Brig N.Deka (Retd.), CGSC.</p> <p style="text-align: center;">PRESENT HON`BLE MR. JUSTICE B.P.KATAKEY, MEMBER (J) HON`BLE VICE ADMIRAL M.P.MURALIDHARAN, AVSM & BAR, NM, MEMBER (A)</p> <p>26.04.2016</p> <p>Heard Mr. Irshad Ahmed, learned Counsel for the applicant and Brig. N.Deka, learned Central Govt. Standing Counsel, appearing for the respondents.</p> <p>One of the grievances of the applicant in the present application is that despite the order passed by this Tribunal on 29.9.2015 in O.A.(A) 30/2014, the appeal, preferred under Section 164 of the Army Act , has not been disposed of even after expiry of more than six months.</p> <p>Brig. N.Deka, learned CGSC, appearing for the respondents submits that the appeal, preferred by the applicant on 13.11.2015, has already been disposed of vide Order dated 3rd March, 2016, converting the order of dismissal to the order of discharge, having regard to the fact that the dismissal was disproportionate to the nature and gravity of the offence.</p> <p>Learned Counsel appearing for the applicant submits that in view of the aforesaid order dated 3rd March, 2016, passed by the GOC-in-C, Eastern Command, the applicant may be allowed to withdraw the O.A. with liberty to challenge the aforesaid order dated 3rd March, 2016, apart from the order passed in the Summary Court Martial,</p>

if so advised.

Having regard to the aforesaid submission, the applicant is allowed to withdraw the O.A. with liberty to challenge the aforesaid order dated 3rd March, 2016, apart from the Summary Court Martial proceedings and the orders passed therein, if so advised.

The O.A. accordingly stands disposed of.

No costs.

A copy of the aforesaid order dated 3rd March, 2016, produced by Brig. N.Deka, is kept on record.

MEMBER (A)

MEMBER (J)

Nath