

Notes of the Registry	Orders of the Tribunal.
	<p style="text-align: center;"><b>IN THE ARMED FORCES TRIBUNAL REGIONAL BENCH, GUWAHATI.</b></p> <p style="text-align: center;"><b><u>OA-15/2015</u></b></p> <p><b>Ex-Rfn (EBR) Ramkumar.</b></p> <p style="text-align: right;">..... <b>Applicant.</b> By legal practitioners for Applicant. <b>Mr. NN Karmakar,</b> <b>Mr. M.Rahman.</b></p> <p style="text-align: center;"><b>-Versus-</b></p> <p><b>UOI &amp; Others.</b></p> <p style="text-align: right;">..... <b>Respondents</b> By legal practitioners for Respondents. <b>Brig N.Deka (Retd), CGSC.</b></p> <p style="text-align: center;"><b>PRESENT</b> <b>HON'BLE MR. JUSTICE B.P.KATAKEY, MEMBER (J)</b> <b>HON'BLE VICE ADMIRAL A.G.THAPLIYAL, AVSM &amp; BAR, MEMBER (A)</b></p> <p><b>29.03.2016</b></p> <p>Brig N. Deka, learned Central Govt. Standing Counsel appearing for the respondents raised the question of jurisdiction of this Tribunal, contending inter alia that since the applicant has been dismissed from service under Section 4 of the Assam Rifles Act, 1941, this Tribunal has no jurisdiction to entertain the O.A.</p> <p>Mr. Karmakar, learned Counsel appearing for the applicant referring to the order of dismissal dated 01.09.2004 has submitted that it is evident therefrom that the Court of Inquiry was conducted under Section 106 of the Army Act, 1950. It has also been submitted that the order dated 1<sup>st</sup> September, 2004 was never issued and even was not in existence at the time of filing of counter affidavit by the respondents in W.P.(C) No. 783/2005 before the Hon'ble Gauhati High Court, which is nothing but subsequently manufactured document.</p> <p>Learned Counsel for the parties have also advanced their arguments on the merits of this case.</p> <p>To appreciate the rival contentions the relevant records are required to be perused.</p> <p>Hence, the respondents shall, on the next date fixed, produce the relevant records for perusal by this Tribunal.</p>

Brig Deka submits that atleast six week`s time is required to produce the relevant records.

In view of the above, list this case on 10.05.2016 when the respondents shall produce all the relevant records.

The O.A., however, shall not be treated as part heard.

Order dasti.

**MEMBER (A)**

**MEMBER (J)**

Nath