

**IN THE ARMED FORCES TRIBUNAL
REGIONAL BENCH, GUWAHATI.**

CA- 09/2016
(In OA-02/2016)

Ex-Nk Amrit Das.

.....Applicant.

By legal practitioners
for Applicant.

**Mr. U.Sarma,
Mr. ANI Hussain,
Mrs U.Zeeham,
Mr. H.Bezbaruah.**

-Versus-

1. **Union of India,
Represented by the Secretary,
Govt. of India, Ministry of Defence (MoD),
South Block, New Delhi-110011.**
2. **Chief of Army Staff,
Integrated Headquarter (IHQ) of MoD(Army),
South Block, New Delhi-110011.**
3. **Military Secretary,
Integrated HQ, MoD(Army),
South Block, New Delhi-110011.**
4. **Officer Commanding, Records Mechanized Infantry Regiment, Ahmednagar,
Maharastra,
PIN-900476, C/o 56 APO.**
5. **Commanding Officer,
No.13 Mechanized Infantry Regiment,
C/o 56 APO.**

.....Respondents

By legal practitioners
for Respondents.

Brig N.Deka (Retd), CGSC.

PRESENT

HON'BLE MR. JUSTICE B.P.KATAKEY, MEMBER (J)
HON'BLE VICE ADMIRAL MP MURALIDHARAN, MEMBER (A)

ORDER

21.03.2017.

Heard Mr. U.Sarma, learned Counsel for the applicant and Brig N.Deka, learned Central Govt. Standing Counsel assisted by Col Anand, OIC, Legal Cell, Guwahati appearing for the respondents.

2. Learned Counsel appearing for the applicant, in view of the decision dated 27th February, 2017, whereby and whereunder the short fall in the qualifying service of the applicant to earn the pension has been condoned by the competent authority, and also in view of the fact that a decision has been taken by the respondent authorities to conduct Reassessment Medical Board, the applicant does not want to pursue with the present application. The learned Counsel, however, submits that the applicant may be given liberty to file appropriate application before this Tribunal, if the occasion so arises.

3. The prayer is allowed. The C.A. is disposed of on withdrawal with liberty, as prayed for.

MEMBER (A)

MEMBER (J)

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