

**FORM NO – 4**

**(SEE RULE 11 (1))**

**IN THE ARMED FORCES TRIBUNAL, REGIONAL BENCH, KOLKATA**

**ORDER SHEET**

**APPLICATION No : T A 49 of 2012**

APPLICANT (S)

Karunakar Nanda & Anr

RESPONDENT (S)

Union of India & 2 Ors

Legal Practitioner of applicant

Legal Practitioner for Respondent (s)

Mr. Rajib Mukherjee

Mr. Anand Bhandari

NOTES OF THE REGISTRY	<b><u>ORDERS OF THE TRIBUNAL</u></b>
	<p>Order Sl. No. : 5 Dated : 21.06.2013</p> <p>Mr. Rajib Mukherjee, Id. adv. for the applicant is present. Mr. Anand Bhandari, Id. adv. for the respondents is also present.</p> <p>At the outset, Mr. Bhandari submits that the application, seeking compassionate appointment on the ground of death of son of the applicant, who was a soldier on 23.9.96, is barred by limitation since the writ petition was filed in the Hon'ble High Court much later in 2001. No MA seeking condonation of delay has been filed by the applicant. We also find from the record that the writ application was not even admitted in the Hon'ble High Court.</p> <p>Mr. Bhattachryya prays for four weeks time to file objection with regard to maintainability. Such prayer is granted. The applicant will be at liberty to file reply to such objection within two weeks thereafter.</p> <p>Let the matter be taken off the hearing list and be listed for further orders on 21.8.13.</p> <p>As prayed for, Id. adv. for the respondents is given liberty to inspect the case records (A file) after obtaining prior appointment from the Ld. Registrar, in presence of a Tribunal's</p>

official.

Let a plain copy of this order duly countersigned by the Tribunal Officer be furnished to the Id. advocates for the parties.

(LT. GEN K.P.D.SAMANTA)  
MEMBER(A)

(JUSTICE RAGHUNATH RAY)  
MEMBER(J)