

18.10.2023
DL-21
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 24749 of 2023

No.120997W Ex-RPO Jainendra Kumar Singh
Vs.
Union of India & Ors.

Mr. Gunjan Kumar Singh

....for the petitioner.

Mr. Sauvik Nandy

....for ECL.

The petitioner filed an application, being OA (Appeal) No.4 of 2018 before the Armed Forces Tribunal, Kolkata for setting aside an order passed by the General Court Marshal dated January 19, 2016 and the order of the Chief Naval Staff dated January 23, 2017. The petitioner has *inter alia* prayed for reinstatement upon setting of the said orders.

Mr. Singh, learned counsel appearing on behalf of the petitioner submits that after 4 years reply was given to OA (Appeal) No.4 of 2018 filed by the petitioner. Till date, the Armed Forces Tribunal (AFT) is not functioning on a regular basis.

Mr. Nandy, learned counsel appearing on behalf of Union of India submits that a judicial member shall be presiding over the Tribunal within a few days.

Considering the rival submissions of the parties and the materials placed on record, this Court directs OA (Appeal) No.4 of 2018 be disposed of within a

period of 3 months from date, subject to the convenience of the bench.

It is made clear that no unnecessary adjournments will be granted in favour of either of the parties.

With the directions aforesaid, **WPA 24749 of 2023** is disposed of.

Since no affidavits have been directed to be exchanged in the writ petition, the allegations contained therein are deemed not to have been admitted by the respondents.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Lapita Banerji, J.)