

16.09.2025

Ct. no.2

Sl. 17

b.r.

WPA 19169 of 2025

No. 123050-K (EX-RPO) Arun Kumar

Vs.

Union of India & Ors.

Mr. Gunjan Kumar Singh

Ms. Anita Das

.... For the petitioner.

Mr. Ajay Choubey

Mr. Pradip Paul

Ms. Renesa Dey

.... For the Union of India-Resps.

Affidavit of service filed in Court today, is taken on record.

Mr. Gunjan Kumar Singh, learned counsel appearing for the petitioner has restricted to his prayer in this writ petition specifically only to the extent of expeditious disposal of **OA No. 165 of 2024, Annexure p-1 at page-12** to the writ petition pending before the Armed Forces Tribunal, Kolkata Regional Bench.

Mr. Ajay Choubey, learned advocate with Mr. Pradip Paul, learned advocate appearing for the Union of India has opposed the writ petition vehemently. However, he has admitted that the relevant Tribunal has not been operative. He

submits that from time to time the Special Bench is holding the concerned Tribunal.

In view of the above, the concerned Tribunal after resuming its regular functioning shall dispose of the said **OA No. 165 of 2024** preferably within a period of **nine months** from the date of resumption of its functioning by passing a reasoned order in accordance with law.

It is made clear that this Court has not gone into the merits of the claim or rival claim of the parties and all points shall be kept open to be urged by the parties to the said application before the jurisdictional Tribunal including the jurisdictional issue and point of maintainability, if any.

The jurisdictional Tribunal shall decide the application by applying its independent mind but in accordance with law.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition, **WPA 19169 of 2025** stands ***disposed of***, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)