Court No. - 20

Case :- WRIT - A No. - 8678 of 2023
Petitioner :- Hav Arun Kumar
Respondent :- Union Of India Thru. Secy. Ministry Of Defence New Delhi And 4 Others
Counsel for Petitioner :- Prabhaat Kumar Tripathi
Counsel for Respondent :- A.S.G.I.

Hon'ble Manish Mathur,J.

1. Heard learned counsel for petitioner and Mr. S. B. Pandey, learned Senior Counsel assisted by Mr. Varun Pandey, learned counsel appearing on behalf of opposite parties who has raised a preliminary objection regarding maintainability of petition before this Court at Lucknow in view of the fact that petitioner is currently posted in Fatehgarh and by means of impugned order has been transferred from one regiment to another in the same city. Impugned order has also been passed by opposite party no.5 who is also posted in Fatehgarh. As such, it is submitted that not even part cause of action is within the territorial jurisdiction of this Court.

2.Considering aforesaid facts, learned counsel for petitioner on the basis of instruction seeks to withdraw this petition with liberty to file a fresh at Allahabad.

3.Considering the aforesaid before this Court at Allahabad. Considering the aforesaid fact, petition is **dismissed as withdrawn** granting the aforesaid liberty.

Order Date :- 21.11.2023
Subodh/-

Digitally signed by :-
SUBODH KUMAR SINGH
High Court of Judicature at Allahabad,
Lucknow Bench