

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17099 of 2010

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Ex-Naik Brij Nandan Thakur S/o Late Suraj Thakur R/o Vill.- Taregna Dih,
P.O.- Masaurhi, P.S.- Masaurhi, Distt.- Patna

.... Petitioner/s

Versus

1. The Union of India through Secretary, Ministry of Defence Raksha Mantralaya, North Block, New Delhi-110001
2. The Principal Controller of Defence Accounts, Pension Cell, Sena Bhawan, New Delhi-110011
3. The Director General, Signal Records, Jabalpur
4. The Senior Record Officer, Signals Abhilekh Karyalaya Signals Records, Post Bag No.5, Jabalpur, M.P.-482001
5. Principal Controller of Defence Accounts (P), Allahabad (U.P.)
6. Lt. Col. AMC, MO Incharge, HQ. 11 Corps C/o 56, Alipore, Kolkatta, West Bengal

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

6. 09.01.2015 Yesterday, on the prayer made by learned counsel for the petitioner, the matter was passed over, by way of indulgence. Today again prayer is made on behalf of learned counsel for the petitioner for further time. Earlier, the Court had recorded the following order:

“Learned counsel for the Union of India has raised a preliminary objection and has also filed an affidavit to this effect on 14.12.2010 itself with regard to maintainability of the writ application in view of the coming into effect of the Armed Forces Tribunal Act, 2007 and establishment of the Armed Forces Tribunal. Copy of the affidavit was served on learned counsel for the petitioner on 13.12.2010 itself but no rejoinder has been filed to the same. However today,

prayer is made on behalf of learned counsel for the petitioner for a pass over.”

The Court finds substance in the objection.

Accordingly, the writ petition stands dismissed as not maintainable.

(Ahsanuddin Amanullah, J.)

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