

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.81 of 2015

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Pankaj Kumar Swaraj Son of Gajendra Sharma, Resident of Village and P.O. - Shahpur, P.S. - Shahpur, District - Patna, Ex-Military Sep. 4280105 X of 21Bihar (Maurya) Bn. Bihar Regiment.

.... Petitioner/s

Versus

1. The Union of India through Secretary to govt. of India Department of Home New Delhi.
2. The Secretary to Govt. of India, Department of Defence and Ministry of Home, New Delhi.
3. The Company Commanding Officer 21, Bihar Bn. Hq. 100 Parbatiya.
4. Brigadier-Commander PIN 908100 Viya-99 A.P.O. 21 Bn. Bihar Regiment.
5. Captain Major, O.C.B. Coy 21 Bn. Bihar Regiment 21 Bihar (Maurya).
6. Lieutenant Colonel A.A.G. for Cdr. 21 Bihar (Maurya).
7. Major Adjt from C.O. 21 St. Bn. Bihar Regiment.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shivjee Pandey, Adv

For the Respondent/s : Mr. Anjani Kumar Sharan, CGC

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL JUDGMENT

2 02-02-2015 After some arguments, learned counsel for the petitioner seeks permission to withdraw this application in view of the Division Bench judgment of this Court in the case of **Union of India vs Colonel, Sarat Chandra Mishra**, reported in **2012(3) PLJR**, holding that such matter arising out of Armed Force Service initially will have to be filed/assailed before the Armed Forces Tribunal.

That being so, this writ application is permitted to be withdrawn with the aforementioned liberty.

(Mihir Kumar Jha, J)

Ranjan/-

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