

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-4075-2015 (O&M)

Decided on : October 01, 2015

EX-MAJ. RAJESH KUMAR

.... Petitioner

VERSUS

UNION OF INDIA AND OTHERS

....Respondents

CORAM : HON'BLE MR. JUSTICE M. JEYAPPAUL

HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Arun Singla, Advocate,
for the petitioner.

Mr.Piyush Khanna, Advocate
for the respondents.

M. JEYAPPAUL, J (ORAL)

CM No.11803-CWP-2015

This application has been filed to dispose of the writ petition based on the decision of the Hon'ble Supreme Court in case titled as 'Union of India and others vs. Major General Shri Kant Sharma and another 2015 (2) SCT 519'.

Heard the submissions made by either side.

CM is allowed and the main case is taken up today for final disposal.

CWP No.4075 of 2015

Applying the ratio of law laid down by the Hon'ble Supreme Court in Union of Indian and others Vs. Major General Shri Kant Sharma and another, 2015(2) SCT 519, this Court has held in CWP No.6958 of 2012 dated 18.05.2015, No.675477 Ex. LAC Anil

Kumar Bishnoi Vs. Union of India and others that writ petition against the order passed by the Armed Forces Tribunal is not maintainable. Of course, the petitioner can avail the alternative remedy available under law.

In the decision referred above, this Court has already dealt with the above submissions made in the connected matters.

In view of the above settled position, the writ petition stands dismissed as not maintainable.

(M. JEYAPPAUL)
JUDGE

October 01, 2015
rajneesh

(DARSHAN SINGH)
JUDGE