

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 6613 of 2014

Gopal Nandan Mishra Son Of Late Ravi Kant Mishra Resident Of Village
And Post - Gauripur, P.S. - Bihpur, District - Bhagalpur

.... Petitioner/s

Versus

1. The Union Of India Through The Secretary, Ministry Of Defence (D/AG), Ii Floor, Sena Bhawan, New Delhi
2. Addl. Director General, Discipline And Vigilance (Dv - 3), Army Head Quarter, Dhq, P.O. - New Delhi
3. The Director General Of Infantry (Inf - 6), General Staff Branch, Army Head Quarter, New Delhi
4. The Commandant, The Bihar Regimental Centre, Danapur Cantt. Patna

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Janki Nandan Prasad
For the Respondent/s : Mr. Rajesh Kumar Verma, CGC

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI
ORAL ORDER

2 11-05-2016 The legal objection taken with regard to the maintainability of the writ application after coming of the Armed Force Tribunal Act, 2007 and the bar created therein seems to be valid.

Learned counsel for the Union of India is correct in taking that objection, especially when there are materials to show that the petitioner was dismissed from the Armed Forces after a summary court martial.

Writ application is dismissed with liberty to the

petitioner to move the appropriate forum and tribunal in this regard.

(Ajay Kumar Tripathi, J)

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