

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19346 of 2016

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1. Meena Devi, W/o Bal Govind residence of Village- Fatehpur Sanda, P.S.- Arwal, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna.
2. The Superintendent of Police, Arwal.
3. The Union of India through the Ministry of Home Affairs.
4. The Major, Army Headquarter, DHG PC, New Delhi.
5. The Directorate General of EME (EME Personnel), Army Headquarters, DHG PC New Delhi.
6. The Master General of the Ordinance Branch, Army Headquarters, DHG PC New Delhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Fakhruddin Ali Ahmad, Adv.

For the Respondent/s : Mr. S.D.Sanjay, Additional Solicitor General

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 05-12-2016

Heard Mr. Fakhruddin Ali Ahmad learned counsel for the petitioner and Mr. S.D. Sanjay, learned Additional Solicitor General for the Union of India.

Perused the office note. An objection is raised as to the maintainability of the writ petition as the petitioner herein happens to be the wife of an army personnel. Mr. Sanjay learned A.S.G. with reference to the provisions underlying Section 14 of the Armed Forces Tribunals Act, 2007 (hereinafter referred to as 'the Act') submits that the objection on maintainability is correct and the writ petition without exhausting the remedy so available under 'the act', is not



maintainable.

In the circumstances, Mr. Ahmad learned counsel for the petitioner prays for disposal of the writ petition to enable the petitioner to take recourse to such remedy as may be available to her in law.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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