

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

**AND
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL**

WRIT PETITION No.3001 of 2011

01.04.2016

Between:

Wg.Cdr.M.S.Narasimha Rao

..Petitioner

And

The Union of India,
represented by its Secretary, Ministry of Defence,
New Delhi and others

..Respondents

Counsel for the petitioner: Dr.P.B.Vijaya Kumar

Counsel for the respondents: Mr.B.Narayana Reddy,
Assistant Solicitor General

The Court made the following:

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ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed for a *certiorari* to quash the order, dated 03.08.2010, in O.A.No.2 of 2010 on the file of the Armed Forces Tribunal, Regional Bench, Chennai, and the sentence of the General Court Martial (GCM), dated 12.08.2005, as confirmed and said to have been verbally promulgated on 23.08.2005 by respondent No.5, and consequently, to direct the respondents to reinstate the petitioner into service with all the consequential and attendant benefits, including the arrears of salary.

2. Dr.P.B.Vijaya Kumar, learned counsel for the petitioner, addressed a letter, dated 30.03.2016, to the Registry seeking withdrawal of the writ petition in view of the order, dated 16.03.2016, in Civil Appeal Nos.10743-10745 of 2011. Today, at the hearing, the learned counsel for the petitioner has submitted that as the Supreme Court, while disposing of the aforesaid Civil Appeals, which involves the same dispute as raised in this writ petition, directed the petitioner to seek withdrawal of the writ petition, that the same may be dismissed as withdrawn.

3. This request of the learned counsel for the petitioner has not been opposed by the learned counsel for the respondents.

4. In view of the above facts, the Writ Petition is dismissed as withdrawn.

5. As a sequel to dismissal of the writ petition, W.P.M.P.No.3734 of 2011 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

01st April, 2016
GHN

M.S.K.JAISWAL, J