

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

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**CWP No. 18415 of 2016
Date of decision:07.10.2016**

Sepoy Raghubir Singh

.... Petitioner

Versus

Union of India and others

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr. Pradeep Sharma, Advocate for the petitioner.

P.B. Bajanthri, J. (Oral)

In the instant writ petition, the petitioner has sought for the following relief:-

- i) Issue a writ, order or direction in the form of Certiorari to quash and set aside the Findings and Sentence of the Summary Court Martial held from 09 Jan to 23 Jan 2015 at BEG Centre Roorkee placed as Annexure P-3 and the Discharge Order issued by the BEG Records dated 13 Feb 2015 placed as Annexure P-5 on the ground of lack of evidence and being without a mandatory speaking Order violative of a plethora of Judgments passed by Hon'ble Supreme Court and various High Courts at Judicature as a Legal principle to meet the ends of equity, justice and fairplay;
- ii) Issue a writ, order or direction in form of writ of Mandamus directing the respondents to reinstate the

Petitioner back in military service hitherto with grant of back wages, seniority and service to meet the ends of equity, justice and fair play.

The petitioner is not entitled for relief sought in the present petition for the reasons that a statutory petition is pending consideration before the competent authority. With reference to statutory petition dated 24.06.2015 (Annexure P6) the concerned respondent is directed to decide the statutory petition within a period of 3 months from today.

Accordingly, petition stands disposed of.

07.10.2016

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No