

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1483 of 2013

IN

Civil Writ Jurisdiction Case No. 20027 of 2012

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Lt. Col Brajesh Bahadur Singh Son Of Late Raj Deo Singh Presently Residing At
202 Shiv Shakti Apartment, Kankarbagh Colony More, Behind Krish Hundai Car
Showroom, Ps- Kankarbagh, Po- Lohia Nagar In The District Of Patna

.... Appellant

Versus

1. The Union of India through Secretary, Ministry Of Defence, Government of India, New Delhi
2. The Chief of Army Staff, Army Head Quarters, New Delhi
3. Controller of Defence Accounts (Officers), Golibar Maidan, Pune-1
4. Controller Of Defence Accounts (Pension) Draupti Ghat, Allahabad (U.P.)
5. Controller General of Defence Accounts Government of India, New Delhi
6. Adjutant General, Army Head Quarters, New Delhi
7. Senior Accounts Officer (Arch) Office of the Pr.C.D.A. (O), Golibar Maidan, Pune

.... Respondents

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Appearance :

For the Appellant : Mr. Gajendra Pratap Singh, Advocate

For the Respondents : Mr. Anjani Kumar Sharan, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 28-02-2017

Delay of 70 days is condoned. I.A. No. 8159 of 2013 is
allowed.

Since the learned single Judge has not committed any
error in law by refusing to exercise discretion in view of the law
which was put in place known as the Armed Forces Tribunal Act,
2007, and liberty has been given to the appellant to invoke the
jurisdiction of such forum. The order of the learned single Judge does
not require to be rectified as it does not suffer from any legal vice.



Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

AFR/NAFR	NAFR
CAV DATE	N/A
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