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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1592/2017 & CM No.7194/2017 (for stay)

CAPTAIN RITESH LAMBA

..... Petitioner

Through: Mr.Indrasen Singh, Mr.Shakti Chand
Jaidwal & Mr.Abhishek Singh, Advs.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr.Ankur Chhibber, Adv.

CORAM:

HON'BLE MS. JUSTICE INDIRA BANERJEE

HON'BLE MR. JUSTICE ANIL KUMAR CHAWLA

ORDER

% **22.02.2017**

In this writ petition, the petitioner has challenged an order dated 30.01.2017 whereby the petitioner has been posted to an Infantry Unit i.e. 15 Punjab. The petitioner has also sought orders directing the respondents to allow the petitioner to remain in his parent Arm i.e. Army Aviation Corps where he had originally being commissioned. From the averments in the writ petition, it is patently clear that the petitioner was initially inducted in the Army Aviation Corps. It is contended on behalf of the respondents that personnel inducted in the Army Aviation Corps are required to qualify in the Commando Course.

The de-induction of the petitioner from the Army Aviation Corps is a service matter, which cannot be agitated before this Court.

The petitioner would have to approach the Armed Forces Tribunal. The challenge to the order of posting has become infructuous, since an order has been issued keeping the posting order in abeyance till disposal of the representation of the petitioner. The order be taken on record.

The writ petition and the application are, thus, disposed of.

INDIRA BANERJEE, J

ANIL KUMAR CHAWLA, J

FEBRUARY 22, 2017

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