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

\+ CONT.CAS(C) 1374/2016

SAPPER MANOJ KUMAR ..... Petitioner
Through: Ms. Archana Ramesh, Adv.

versus

GENERAL DALBIR SINGH SUHAG ..... Respondent
Through: Ms. Barkha Babbar with Ms. Dipanjali Tyagi and Mr. Akhil Suri, Advs.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

O R D E R

% 17.02.2017

The present contempt petition has been filed alleging wilful disobedience of the order dated 21st March, 2016 passed by a Division Bench of this Court in W.P.(C) 8714/2014 wherein upon the petitioner filing a statutory appeal within one week, the competent authority of the respondent was directed to consider the same in accordance with law and pass an order on merits without detaining itself on the aspect of delay.

Learned counsel for the petitioner states that despite filing the statutory appeal dated 12th April, 2016, the same has not been disposed of by the respondent till date despite a reminder.

Learned counsel for the respondent, who appears on advance notice, states that the respondent has not been able to trace out the petitioner's statutory appeal in its records.

A perusal of the paper book reveals that both the statutory appeal as well as the reminder were sent by post and addressed to the Chief of Army Staff at Nirman Bhawan.

Since, admittedly, the Chief of Army Staff does not sit at Nirman Bhawan, this Court disposes of the present contempt petition with a direction to the respondent to dispose of the statutory appeal annexed with the present contempt petition within a period of three months from today.

In the event, the petitioner is aggrieved by the decision of the Chief of Army Staff, he shall be at liberty to file appropriate proceedings in accordance with law.

MANMOHAN, J

FEBRUARY 17, 2017
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