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

+ **W.P.(C) 10731/2017**

EX- CAPTAIN KASHYAP KUMAR Petitioner
Through **Ms.G.M. Padma Priya, Adv. with**
petitioner in person.

versus

UNION OF INDIA AND ANR. Respondents
Through **Mr.Sanjay Jain, Addl. Solicitor**
General with Mr.Kirtiman Singh,
Adv. & Mr.R.M. Tripathi, Adv. for
R-1 & 2.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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01.12.2017

1. The petitioner has prayed for issuing direction to the respondents to furnish copies of relevant documents and materials relied upon by the respondents, which were adverse to him in the matter of his dismissal from the Government Service vide order dated 26.10.2005.

2. We have enquired from learned counsel for the petitioner as to how the present petition is maintainable in this Court particularly when an earlier petition filed by the petitioner, being W.P.(C) No.21661/2005, was directed to be transferred to the Armed Forces Tribunal in view of the enactment of the Armed Forces Tribunal Act, 2007, and is stated to be pending adjudication there.

3. Learned counsel for the petitioner on instructions states that she may be permitted to withdraw the present petition while reserving the right of the petitioner to approach the Armed Forces Tribunal for seeking the relief sought in the present petition. Leave as prayed for is granted.
4. The petition is disposed of alongwith the pending applications.

HIMA KOHLI, J

REKHA PALLI, J

DECEMBER 01, 2017/aa