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

+ **W.P.(C) 10892/2017**

MURARI LAL SHARMA AND ANR. Petitioners

Through: Petitioner No.2 in person

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr.Prateek Dhanda, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **06.03.2018**

CM No.8583/2018 (by the petitioner No.2 for correction of the error in para no.5 of the order dated 07.12.2017)

1. Petitioner No.2 appears in person and states that a typographical error has crept in para No. 5 of the order dated 07.12.2017, wherein Section 165 of the Army Act has been wrongly typed out as "Section 165 of the AFT Act".
2. Issue notice. Learned counsel for the respondents accepts notice and states that he has no instructions.
3. Having regard to the formal nature of relief prayed for, which is only for correction of a typographical error in para 5 of the order dated 07.12.2017, so as to correctly describe Section 165 as a part of the provisions of the Army Act, we dispense with the requirement of filing a reply.

4. The prayer in the application is allowed. Para 5 of the order dated 07.12.2017, shall read as follows:

“5. Noting that the petitioner had a remedy under Section 165 of the Army Act, to file an application before the Chief of the Army staff to examine the proceedings of the court martial, the AFT has set aside the order dated 12.03.2014 passed by the respondents whereby the petitioner No.1’s appeal under Section 165 of the Army Act was rejected, as not being maintainable and the Chief of the Army Staff or any prescribed officer was directed to examine the matter under Section 165 of the Army Act.”

5. This order shall be read as part and parcel of the order dated 07.12.2017.

6. The application is disposed of.

HIMA KOHLI, J.

PRATIBHA RANI, J.

MARCH 06, 2018

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