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

+ W.P.(C) 3915/2016, CM Nos.28934/16 & 10663/18

KUSH KALRA Petitioner

Through : Dr.Charu Walikhanna with
Mr.Dharmendra Singh Pal,
Advocates.
Mr.Gautam Narayan, *amicus*
curiae with Ms.Mahamaya
Chatterjee, Advocate.

versus

UNION OF INDIA & ANR

..... Respondents

Through : Mr.Kirtiman Singh, CGSC with
Mr.Waize Ali Noor, Advocate.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

% **01.08.2018**

1. The present writ petition has been filed to challenge the ineligibility of married female candidate to apply for appointment to Judge Advocate General (JAG), Department of Indian Army. This prohibition was stipulated in Special Army Instructions 3/98.
2. During the pendency of the writ petition in August, 2017, the respondents have issued a fresh corrigendum thereby prohibiting married men as well for seeking employment in the JAG Department of the Indian Army.

3. In view of this corrigendum the grounds raised by the writ petitioner requires relook and the corrigendum would also need to be assailed.

4. In view of above, Dr.Charu Walikhanna, learned counsel for the petitioner seeks permission to withdraw the petition with liberty to raise the challenge afresh to the instructions as well as corrigendum.

5. The writ petition is dismissed as withdrawn with liberty, as prayed for.

6. All pending applications also stand disposed of.

Copy of the order be given *dasti* to the learned counsel for the parties.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J.

AUGUST 01, 2018

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