

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (ST.) NO. 20114 OF 2018

Dr. (Lt.Col.) Vijay Seshan

.. Petitioner

Vs.

The Union of India

through the Secretary & Ors.

.. Respondents

Mr. Ramesh Ramamurthy a/w. Mr.Saikumar Ramamurthy, Advocate for petitioner.

Mr.Dushyant Kumar, Advocate for respondent Nos.1 and 2.

**CORAM : B.R. GAVAI &
N.J. JAMADAR, JJ.**

DATE : 17TH JANUARY 2019

P.C.

1 The learned counsel for the petitioner, on instructions, seeks leave to withdraw the petition with liberty to adopt alternate remedy available in law.

2 Taking into consideration the fact that the petitioner is prosecuting the present petition *bona-fide*, liberty is required to be granted to the petitioner to file appropriate proceedings before the Armed Forces Tribunal. The petitioner would also be entitled to the exclusion of time for which the petition was pending in this Court, under Section 14 of the Limitation Act.

3 The petition disposed of as withdrawn with liberty as sought.

[N.J. JAMADAR, J.]

[B.R. GAVAI, J.]