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

% *Date of Order: 19.02.2019*

+ **CONT.CAS(C) 126/2019**

COL ANAND SWAROOP

..... Petitioner

Through: Mr. S.S. Pandey, Ms. Devina
Sharma, Ms. Vibhuti Sharma,
Advts.

versus

GENERAL BIPIN RAWAT & ORS

..... Respondents

Through: Mr. Kirtiman Singh, CGSC
with Col. V.S. Gaur and Major
Charul Bhat in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

1. Mr. Kirtiman Singh, the Central Government Standing Counsel, on instructions, has placed on record a copy of message received from JAG Branch, Headquarter Western Command to the effect that *“it is clarified as under ALFA (.) confirming authority of the petitioner is GOC-IN-C western command in terms of Para 472 of Regulation for the Army COMMA 1987 (Revised Edition) BRAVO (.) GCM proceedings were placed before GOC Delhi Area for consideration of revision of findings of GCM. GCM proceedings were placed before GOC Delhi area for consideration of revision of findings*

of GCM. GCM proceedings not repeat not yet been submitted to GOC-in-C western command till date.”

2. The learned CGSC states that the General Officer Commanding, Delhi Area, Delhi Cantt is not the confirming authority of the petitioner. He further states that the confirming Authority of the petitioner is General Officer Commanding-in-Chief, Western Command, Chandimandir (Haryana) in terms of Regulation 472 of the Regulation of the Army, 1987.

3. In view of the above, the learned counsel for the petitioner seeks permission to withdraw the petition with liberty to avail other remedies as available in law.

4. As such, the petition is dismissed as withdrawn with liberty, as prayed for.

5. Order *dasti* under the signature of Court Master/Private Secretary.

VINOD GOEL, J.

FEBRUARY 19, 2019

“sandeep”