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

+ **W.P.(C) 9258/2019**

COL ANIL KUMAR GUPTA Petitioner

Through: Mr.Abhishek Singh, Advocate.

versus

UNION OF INDIA AND ORS Respondent

Through: Ms.Maninder Acharya, ASG with
Mr.Harish Vaidyanathan Shankar,
CGSC.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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27.08.2019

CM APPL. 38169/2019 (exemption)

1. Allowed, subject to all just exceptions.

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2. It appears that after the filing of the application by the Petitioner before the Armed Forces, General Court Martial (GCM), by an order dated 28th January, 2019 the GCM formed a view that the holding of the GCM was not time barred. Admittedly, after the above order of the GCM, the Petitioner on 4th February, 2019 filed MA No. 645/2019 before the AFT.

3. The Court is not *prima facie* satisfied about the maintainability of such an application before the AFT. Nevertheless, the Court would request the AFT now to proceed to dispose of the main application i.e. OA No. 32/2019 as

well as all pending applications in the said OA not later than 30th September, 2019.

4. No further directions are called for in this petition. Accordingly, the petition is disposed of.

S. MURALIDHAR, J.

TALWANT SINGH, J.

AUGUST 27, 2019

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