

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25064 of 2019

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Satish Kumar Jha Son of Yadubir Jha, Permanent R/o Arer Dih, P.O. Arer Hat,
District- Madhubani, At present as T No. 14991-H, Fatigue Man Estate
Section O.T.A. Gaya, Bihar.

... .. Petitioner/s

Versus

1. The Union of India India,
2. The Director Adjacent Generals Branch Army Headquarter, MOD(Army)
New Delhi.
3. The Flag Officer Commanding in-Chief Headquarter Western Naval
Command Mumbai 400023 Maharashtra.
4. The Commanding Officer Officers Training Academy Gaya, Bihar.
5. The Establishment Officer Officers Training Academy Gaya, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Soni
For the Respondent/s : Mr.S. D. Sanjay (Adsg)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 29-02-2020 Heard learned counsel for the parties.

After some arguments, learned counsel for the
petitioner seeks permission to withdraw this application with
liberty to approach the Armed Forces Tribunal, Kolkata Bench,
for redressal of his grievance.

Prayer is allowed.

This application is disposed as withdrawn with the
aforesaid liberty.

Learned counsel for the petitioner further prays that
the certified copy which has been impugned in this writ petition
has been enclosed as Annexure-3, may be returned to him after



keeping photocopy of the same so that it can be utilized by him in filing case before Armed Forces Tribunal.

In view of the above, office is directed to return Annexure-3 i.e. certified copy of the order impugned dated 05.10.2019, after enclosing photocopy of the same to be provided by learned counsel for the petitioner.

However, it is also observed that if petitioner approaches the Armed Forces Tribunal, period during which case of petitioner remained pending before this Court, shall be taken into account, while considering delay in approaching the Tribunal.

With the aforesaid liberty, this petition is disposed of as withdrawn.

(S. Kumar, J)

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