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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11499/2019 and CM APPL. 47265/2019 (stay)**
SEPOY ASHISH KUMAR Petitioner

Through: Mr. U.S.Maurya, Advocate.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Rajesh Gogna, CGSC with Mr.
Kavindra Gill, Advocate for UOI.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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25.02.2020

1. This petition was entertained at a time when the Chairperson of the Armed Forces Tribunal ('AFT') had not been appointed to replace the incumbent who had retired. Since then, a Chairman of the AFT has been appointed and all matters are now being entertained in the AFT in accordance with law.

2. The Court therefore permits the present Petitioner to now approach the AFT, not later than four weeks from today, by filing an appropriate application in accordance with law and if necessary, to also invoke Rule 6 of the Armed Forces Tribunal (Procedure) Rules, since it is stated in the petition that it is AFT, Kochi Bench, which otherwise has jurisdiction over the matter.

3. It is clarified that it will be open to parties to rely on the pleadings in the present petition before the AFT. The interim order already passed by the

Court is directed to continue till such time the AFT passes appropriate orders.

4. The petition and the pending application are disposed of in the above terms.

S.MURALIDHAR, J.

TALWANT SINGH, J.

FEBRUARY 25, 2020

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