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

+ **W.P.(C) 11514/2019 and C.M. APPL. 47304/2019 (stay)**

RAJNI KANT PANDEY

..... Petitioner

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

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Dilbagh Singh, CGSC 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, also invoke Rule 6 of the Armed Forces Tribunal (Procedure) Rules, since the Petitioners submit that the Kolkata Bench of the AFT has jurisdiction, which, even as on date, is not functioning.

3. It is clarified that it will be open to the 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 as the AFT passes appropriate orders.

4. The petition and application are disposed of.

S.MURALIDHAR, J.

TALWANT SINGH, J.

FEBRUARY 25, 2020
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