

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 12915 OF 2019

Cdr. Vijaykumar B. Patil (Retd) ... Petitioner

Versus

Union of India & Ors. ... Respondents

.....

Mr. Kandrap Trivedi a/w Shyam Dewani and Chirag Chanani i/b Dewani Associates for the Petitioner.

Ms. Anjali Helekar with Mr. Ashutosh R. Gole with Anu Kaladharan for Respondent No.2.

Mr. Durgaprasad Halwai i/b Singh & Co. for Respondent No.3.

Ms. S.S. Bhende, A.G.P for the Respondent-State.

.....

**CORAM : K.K. TATED &
R.I. CHAGLA, JJ.**

**DATE : 17th JUNE, 2021.
(V.C.)**

P.C. :-

1 Heard learned Counsel for the parties.

2 In the order dated 06.04.2021 this Court recorded the objections raised by the learned Advocate for Respondent Nos.1 and 2 that the Petitioner have alternate efficacious remedy under the Armed Forces Tribunal Act, 2007.

3 When this Court declined to entertain the present Writ Petition on the ground of alternate efficacious remedy, the learned Advocate for the Petitioner submits that the Petitioner may be permitted to withdraw the present Writ Petition and approach the Armed Forces Tribunal for the same cause of action. Same is accepted. Hence the following order is passed :

- i) Writ Petition stands disposed of with liberty to the Petitioner to approach Armed Forces Tribunal for the same cause of action.
- ii) Parties to act upon the authenticated copy of this order.
- iii) All contentions of both the parties are kept open.

(R.I. CHAGLA, J.)

(K.K. TATED, J.)