

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4338 of 2018

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Sonu Kumar, aged about 26 years, Son of Vinod Kumar Singh, Resident of
Village P.O.- Dhelhari, P.S./Revelganj, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The Union Of India and Ors
2. The Commandant Office, Training Academy, Gaya, Bihar.
3. The Deputy Commandant Officer Training Academy, Gaya, Bihar.
4. The Chief Instructor Officer Training Academy, Gaya, Bihar
5. The Executive Director, Officer Training Academy, Gaya, Bihar.
6. The Establishment Officer, Officer Training Academy, Gaya, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar Singh, Advocate Mr. Priya Ranjan Singh, Advocate Mr. Pramod Jha, Advocate
For the Respondent/s	:	Mr. S.D Sanjay Addl. Soc. Gen. Mr. Kumar Priya Ranjan, CGC

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 26-04-2022

Heard learned counsel for the parties.

2. In the instant petition, petitioner has prayed for the
following relief/reliefs:

“That this is an application for
issuance of writ(s), order(s), direction(s) for
quashing of order dated 20/7/2017 issued



by the Major General Officer Training Academy, Gaya by which petitioner has been removed from the post of 'CADET ORDERLY' and for quashing of the order dated 30/8/2017 by which order of removal has been affirmed by the Col Administrative Officer Training Academy, Gaya, Bihar.

And for issuance of direction to reinstated the petitioner on his post with all consequential service benefits.

And/Or

Pass such other order(s) as your Lordships may deem fit and proper.”

3. Undisputedly, the petitioner's grievance is required to be redressed under the Armed Forces Tribunal Act read with relevant Rules before the jurisdictional Arms Tribunal constituted under the Armed Forces Tribunal Act, 2007. In the light of these facts and circumstances, the present petition stands disposed as not maintainable, however, if the petitioner approaches the jurisdictional forum, the jurisdictional forum is hereby directed to take note of the time spent by the petitioner in the present petition in terms of Section 14 of the Limitation Act if petitioner files any application for condonation of delay in questioning the validity of the impugned order before the Armed Forces Tribunal.



4. With the above observation, writ petition stands disposed off.

(P. B. Bajanthri, J)

(Rajeev Ranjan Prasad, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	28.04.2022
Transmission Date	

