

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 20279 of 2013

Chandra Shekhar Yadav Son Of Sri Bunni Lal Roy Resident Of Village
Kachhi Dargah, Police Station Fatuha, District Patna, Ex Recruit, B
Company, Bihar Regiment, Danapur Cantt, Patna , Bihar

... .. Petitioner/s

Versus

1. The Union Of India
2. The Chief Army Staff, New Delhi
3. The Colonel, Trg Bn Cdr, The Bihar Regiment Centre, Danapur Cantt.,
Patna Bihar
4. The Training Battalion Commander, Training Battalion, Bihar Regimental
Centre, Danapur Cantt, Patna
5. The Major, B.Coy Cdr. The Bihar Regimental Centre, Danapur Cantt. Patna
Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh
For the Respondent/s : Mr. N. A. Shamsi A.S.G.

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 23-01-2023 The petitioner by way of this writ petition assailed as
under:-

(I) For issuance of order or direction or writ in the nature of certiorari for quashing the order of discharge from service on compassionate ground of petitioner dated 1.6.2011 issued under the signature of Major, O.C. 'B' Copy Danapur Cantt, as well as certificate of discharge of the petitioner dated 7.6.2011 issued under the signature of Colonel, Trag, Bri Cdr the Bihar Regimental Centre, Danapur Cantt. without any rhyme or reason.

(ii) For issuance of order or direction of writ in the nature of Mandamus for commanding respondent to reinstate and re-enrolled the petitioner in Army Service.

(iii) For any other incidental and consequential reliefs for which the petitioner is found fit under the facts and circumstances of this case.



In view of the provisions, the writ petition would not be maintainable under the Armed Forces Tribunal Act, 2007 with effect from 25.12.2007, wherein provided under Rule-15 as under:-

“15 Calendar of cases.- Each Bench shall draw up a calendar for the hearing of transferred cases and, as far as possible, hear and decide the cases according to the calendar.”

Keeping in view of above, the writ petition is not maintainable and accordingly dismissed.

(Sanjeev Prakash Sharma, J)

Brajesh Kumar/-

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