

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRWP-2455-2024

Date of decision: 15.03.2024

Amit Kumar

.....Petitioner

Versus

Union of India and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE HARSH BUNGER**

Present: Mr. Navdeep Singh, Advocate, for the petitioner.

Mr. Rohit Verma, Advocate,
for the respondents.

SUDHIR SINGH, J.

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing the orders dated 21.02.2024 (Annexure P-2), 28.02.2024 (Annexure P-3) and 06.03.2024 (Annexure P-4) passed by the Armed Forces Tribunal, Regional Bench, Chandigarh at Chandimandir-respondent No.6, whereby the Original Application (Appeal) No.203 of 2024 along with MA No.386 of 2024 (Annexure P-1) has been adjourned repeatedly on the question of maintainability. Further prayer has been made for issuance of a writ in the nature of Mandamus directing respondents No.1 to 5 to release the petitioner, who is confined in Military Custody pursuant to the sentence awarded by the Summary Court Martial (SCM).

It appears that the matter is pending before the Armed Forces Tribunal-respondent No.6 and the next date fixed is 26.03.2024.

Considering the relief, sought for, in the present petition, respondent No.6-Armed Forces Tribunal is directed to decide the matter pertaining to maintainability of the Original Application No.203 of 2024 and application for suspension of sentence (MA No.386 of 2024) on the next date fixed before it.

Disposed of accordingly.

Pending application(s), if any, shall also stand disposed of.

(SUDHIR SINGH)
JUDGE

(HARSH BUNGER)
JUDGE

15.03.2024
Ajay Prasher

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No