

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

231

CWP-15297-2019

Date of Decision : 23.01.2024

SEPOY RAGHUBIR SINGH

.....PETITIONER

V/S

UNION OF INDIA AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr.Kirat Pal Dhaliwal, Advocate for
Mr. Pradeep Sharma, Advocate
for the petitioner.

Mr. Amit Sharma, Sr. Panel Counsel
for the respondent-UOI.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of Constitution of India is seeking setting aside of findings and sentence of the Summary Court Martial held from 09.01.2015 to 23.01.2015. He is further seeking setting aside of discharge order dated 13.02.2015 (Annexure P-5) and letter dated 24.03.2017 (Annexure P-8).

2. The petitioner has been awarded punishment in terms of Section 63 of Army Act. This Court vide judgment dated 03.10.2023 passed in CWP No.3118 of 2023 has held that in such cases, the petition is maintainable before Armed Forces Tribunal.

3. Faced with this, learned counsel for the petitioner submits that the present petition may be disposed of in the same terms.

4. The petition stands disposed of in terms of the judgment dated 03.10.2023 passed by this Court in CWP No.3118 of 2023. The Registry is directed to transfer complete paper book of this case to Registrar, AFT, Chandigarh. At the first instance, the parties shall appear before AFT, Chandigarh on 19.02.2024.

(JAGMOHAN BANSAL)
JUDGE

23.01.2024
Anju

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>