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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1547/2019

7777220 SGT DEEPAK RAWAT, RETD

.....Petitioner

Through: Mr. Manoj Kr Gupta, Adv.

versus

UNION OF INDIA & ORS

.....Respondents

Through: Mr. Harish Vaidyanathan Shankar,
CGSC, Mr. Srish Kumar Mishra, Mr.
Alexander Mathai Paikaday, Advs.
with Mr. Jitendra Kumar Tripathi,
G.P. and Sqn. Ldr.M.N.Khan and Sgt.
Vikash Kumar from IAF for
respondents.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

07.08.2024

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1. The petitioner has approached this Court being aggrieved by the denial of promotion to him on account of his alleged low medical category.
2. On the last date in view of the objection taken by the respondents that the present petition was not maintainable before this Court and the remedy of the petitioner was to approach the learned Armed Forces Tribunal (AFT), time was granted to the learned counsel for the petitioner to obtain instructions.
3. Today, he submits that the petitioner is agreeable to the present



petition being transferred to the learned AFT for disposal.

4. In the light of this stand taken by the petitioner and the admitted position that the petitioner's grievance regarding the non-grant of promotion would fall within the jurisdiction of the learned AFT, we transfer the present petition to the learned AFT for adjudication in accordance with law.
5. The Registry is directed to forthwith forward the record of the present petition including all the pleadings. The matter is listed before the learned Registrar of the AFT for 10.09.2024 for being placed before an appropriate Bench.

REKHA PALLI, J

SHALINDER KAUR, J

AUGUST 7, 2024

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