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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 2330/2025**

AMANDEEP SINGH GAURPetitioner

Through: **Mr. Rajesh Nandal, Adv.**

versus

UNION OF INDIA AND ORSRespondents

Through: **Ms. Ekta Choudhary, SPC with
Mr. Sarvesh P. Shrivastava,
Adv. and Major Anish
Muralidhar, Army.**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

24.02.2025

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CM APPL. 10999/2025

1. Allowed, subject to all just exceptions.

W.P.(C) 2330/2025

2. This petition has been filed by the petitioner, praying for the following reliefs: -

“(i) To issue an appropriate writ, order, direction in the nature of writ of mandamus or any other appropriate writ, Order or direction to the Respondents: &

(ii) To take a sympathetic view of Petitioners requirement so that he can look after his infirm old parents being their only son and can live with his wife in future and save his marriage which is on brink and permit him to resign and

(iii) Since the Respondent No 3 itself is the sole deciding authority permitting him to resign, they be directed to be approve it due to



genuinity of its circumstances in a time bound manner as felt appropriate by Hon'ble High Court as almost one year is already over since 03 Feb 2024 when second request as per their policy was made."

3. On the objection raised by the learned counsel for the respondents that, being a service matter falling within the ambit of Section 3(o) of the Armed Forces Tribunal Act, 2007, the jurisdiction to entertain the present petition would vest in the Armed Forces Tribunal, the learned counsel for the petitioner prays for leave to withdraw the present petition. He, however, requests that the petitioner be permitted to file a fresh application seeking resignation from service to the respondents, which may be considered by the respondents expeditiously.

4. Without making any comment on the request of the petitioner for resigning from the service, we direct that in case such an application is filed by the petitioner, we expect the respondents to dispose it of within a period of 12 weeks of the receipt of the same.

5. The petition is disposed of in the above terms.

6. It shall be open for the petitioner to avail of his remedies before an appropriate Forum.

NAVIN CHAWLA, J

SHALINDER KAUR, J

FEBRUARY 24, 2025/ss/sk/DG

Click here to check corrigendum, if any