
(2024) 12 SHI CK 0068
High Court Of Himachal Pradesh
Case No: CWP No. 2655 of 2024

Sh. Ajay Kumar

APPELLANT

Vs

Union Of India And Others

RESPONDENT

Date of Decision: Dec. 31, 2024

Hon'ble Judges: Ajay Mohan Goel, J

Bench: Single Bench

Advocate: Atharv Sharma, Balram Sharma, Neeraj Gupta, Ajeet Pal Singh Jaswal,

Final Decision: Disposed Of

Judgement

Ajay Mohan Goel, J

1. In this case, a preliminary objection has been taken by learned Deputy Solicitor General of India with regard to the maintainability of the writ

petition. He submits that the petitioner has the remedy to invoke the jurisdiction of the learned Armed Forces Tribunal.

2. Faced with this situation, learned Counsel for the petitioner submits that the petitioner may be allowed to withdraw the present writ petition with

liberty to approach learned Armed Forces Tribunal but the time spent by the petitioner while pursuing this writ petition be ordered to be condoned

while calculating the limitation by learned Tribunal.

Accordingly, this writ petition is dismissed as withdrawn with liberty as prayed for, with further observation that for the purpose of calculating the

limitation, the time that has been bonafidely spent by the petitioner while pursuing this writ petition before this Court shall be condoned. Pending

miscellaneous application(s), if any also stand disposed of accordingly.