

T.A. No. 396/2010
[W.P. (C) No. 8371/2007]

07.09.2010

Present: Ms. Rashmi Singh with Sh. Mohan Kumar, Advocates, counsel for the petitioner.

Sh. Romil Pathak, Advocate, proxy counsel for Dr. Ashwani Bhardwaj, Advocate, counsel for the respondents.

Learned counsel for the petitioner has invited our attention to Annexure-P-7 dated 05th January, 2007 whereby the order passed by the Court Martial has been set aside and sentence and dismissal has already been set aside and petition has already been reinstated in service from 01st August, 2006 and he is serving in 523, ASC Battalion. Therefore, present petition has become infructuous.

Learned counsel for the petitioner further submits that though this order has been passed but still consequential relief has not been given to the petitioner. Respondents are directed to give consequential relief as per law. Petition is accordingly disposed of. No order as to costs.

A.K. MATHUR
(Chairperson)

M.L. NAIDU
(Member)

New Delhi
September 07, 2010