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COURT NO. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
O.A. No. 523 OF 2011

IN THE MATTER OF :

Hav./Clk. Prabitra Maity

.....Applicant

VERSUS

Union of India & Ors.

.....Respondents

Dated: 28.11.2011

Present: Mr. S.K. Upadhyay, counsel for the Applicant.

Lt. Col. Arun Sharma on behalf of the Respondents

Heard and perused the record.

In the present case, the question of territorial jurisdiction is involved. The applicant is resident of Uttarakhand and impugned order dated 21.05.2011 has also been passed at Uttarakhand. No cause of action or part thereof has arisen within the territorial jurisdiction of Delhi.

At this stage, after making some submissions, learned counsel for the applicant wants to withdraw the present OA with liberty to file fresh application before the proper forum. He further requests that in the present application, he has filed the original impugned order. He prays that permission may be given for release of the original impugned order dated 21.05.2011 from the record.

Considering the prayer and facts of the case, the present OA is dismissed as withdrawn with aforesaid liberty. No order as to costs. Further, office is directed to release original impugned order and retain a copy of the same for record. File be consigned to Record Room.

M.L. NAIDU
(Administrative Member)

MANAK MOHTA
(Judicial Member)

Dated: 28.11.2011
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