

**ARMED FORCES TRIBUNAL, REGIONAL BENCH, KOCHI**

**T.A.No.22 of 2011**

W.P.NO.15931 OF 2006 OF THE HIGH COURT OF KARNATAKA AT BANGALORE)

TUESDAY, THE 21ST DAY OF FEBRUARY, 2012/2ND PHALGUNA, 1933

**CORAM:**

HON'BLE MR. JUSTICE A.C.ARUMUGAPERUMAL ADITYAN, MEMBER (J)

HON'BLE LT. GEN. THOMAS MATHEW, PVSM, AVSM, MEMBER (A)

TUKARAM PATIL, S/O.(LATE) YELLAPPA,  
AGED ABOUT 41 YEARS, EX.JCO,  
O/o.137, MC/MF, DET, C/o.99 APO,  
(O/o.137, MOVEMENT CONTROL/  
MILITARY FARM DETACHMENT – C/o.99  
ARMY POSTAL ORGANIZATION),  
RESIDENT OF GOUND WAD,  
NEHRU NAGAR POST,  
BELGAUM TALUK AND DISTRICT-590 010.

**PETITIONER/APPLICANT**

BY ADV. SRI.RAMESH.C.R.

**VERSUS**

1. THE RECORD OFFICE,  
MADRAS ENGINEER GROUP,  
PIN-900493, C/o.56 APO.
2. THE COORD AND PERS DIRECTORATE/E1A,  
ENGINEER-IN-CHIEF'S BRANCH,  
ARMY HEADQUARTERS,  
KASHMIR HOUSE, RAJAJI MARG,  
DHQ POST, NEW DELHI – 110 011.
3. THE COMMANDER,  
JUNIOR LEADER WING,  
INFANTRY SCHOOL,  
BELGAUM - 590009.
4. THE UNION OF INDIA,  
MINISTRY OF DEFENCE  
REP. BY ITS SECRETARY  
SOUTH BLOCK,  
NEW DELHI – 110 001.

**RESPONDENTS/RESPONDENTS**

BY ADV. SMT.E.V.MOLY, CENTRAL GOVT. COUNSEL.

**ORDER**

**A.C.A.Adityan, Member (J)**

Heard the learned counsel appearing for the applicant who has made an endorsement as to the effect that the applicant is withdrawing the application with a liberty to challenge the impugned policy No.1362/CA/Stats-1/MES/202/LDC dated 09 December 2005 before the appropriate forum since this Tribunal has specifically been excluded from exercising the powers under Article 226 of the Constitution of India. The petition is dismissed as withdrawn with a liberty to challenge the impugned policy before the appropriate forum. Time – two months.

Sd/-  
LT.GEN.THOMAS MATHEW  
MEMBER (A)

Sd/-  
A.C.A.ADITYAN  
MEMBER (J)

mds/

(True copy)

Private Secretary