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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ W.P.(C) 17954/2024 & CM APPL. 76378/2024 & CM APPL.  
5543/2025

MAJOR AJEET YADAV & ORS. ....Petitioners

Through: Mr. Anshuman Mehrotra, Adv.  
for Mr. Ankur Chhibber, Amicus Curie  
Petitioner 1 in person

versus

UNION OF INDIA & ORS. ....Respondents  
Through:

+ W.P.(C) 7095/2025 & CM APPL. 32062/2025

GHANSHYAM LALSAH AND ANR ....Petitioners

Through: Mr. Arvind Shah, Adv.

versus

UNION OF INDIA AND ANR ....Respondents  
Through: Mr. Neeraj, SPC with Mr.  
Vedansh Anand, GP, Mr. Soumyadip  
Chakraborty and Mr. Sanjay Pal, Advs. with  
Lt. Gen. B.S. Poonia and Maj. Anish  
Murlidhar

**CORAM:**  
**HON'BLE MR. JUSTICE C. HARI SHANKAR**  
**HON'BLE MR. JUSTICE AJAY DIGPAUL**

**ORDER (ORAL)**

% **17.07.2025**

**C. HARI SHANKAR, J.**

**CM APPL. 41899/2025 in WP (C) 17954/2024**

1. This is an application seeking condonation of delay of 160 days



in filing the counter affidavit.

2. For the reasons stated in the application, the delay is condoned and the application is allowed.
3. Counter affidavit be taken on record.
4. The application stands disposed of.

**W.P.(C) 17954/2024 & W.P.(C) 7095/2025**

4. After some hearing, Mr. Ankur Chhibber, who have been appointed by this Court as *amicus curiae* by order dated 24 December 2024 has submitted that these petitions would be amenable to adjudication by the Armed Forces Tribunal<sup>1</sup>.

5. In that view of the matter, Mr. Arvind Shah, who appears for the petitioner in WP(C) 7095/2025 is agreeable to the AFT adjudicating this matter but prays that this writ petition may be transferred to AFT which may be requested to proceed on the basis of the record as it stands.

6. Though Major Ajeet Yadav, who appears in WP (C) 17954/2024 in person, argued for some time, he also ultimately agreeable to this petition being transferred to the AFT provided the AFT is directed to proceed on basis of the record as it stands.

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<sup>1</sup> “the AFT” hereinafter



7. Accordingly, both these petitions are transferred to the AFT. For this purpose, the Registry is directed to transmit these petitions to the AFT which would accord suitable registration numbers to them. Let the records be transmitted within a period of one week from today.

8. We request the learned AFT to treat these writ petitions as original applications and to proceed further from the stage on which they stand today before this Court. The pleadings before this Court would be deemed to be pleadings before the AFT. The orders passed by this Court would also continue before the AFT and if any interim order has been passed, that interim order shall continue to remain in operation during the proceedings before the AFT, but shall remain subject to any further orders that the AFT may deem appropriate to pass.

9. In order to expedite matters, the parties are directed to appear before the AFT on 11 August 2025.

10. We have not expressed any opinion on the merits of the dispute.

**C. HARI SHANKAR, J.**

**AJAY DIGPAUL, J.**

**JULY 17, 2025**

**gs**