



2025:DHC:8085-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 14064/2025, CM APPL. 57694/2025 & CM APPL.
57695/2025

UNION OF INDIA & ORS.Petitioners
Through: Mr. Neeraj, SPC with Mr.
Soumyadip Chakraborty, Adv.

versus

EX PO LOG ASHOK KUMARRespondent
Through: Mr. A.K Trivedi, Adv.

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

% **ORDER (ORAL)**
12.09.2025

C. HARI SHANKAR, J.

1. The prayer in this writ petition is to set aside the following order passed by the Armed Forces Tribunal¹:

“Vide our detailed order of even date, we have allowed the OA 749/2019. Learned counsel for the respondents makes an oral prayer for grant of leave to appeal in terms of Section 31 (1) of the Armed Forces Tribunal Act, 2007 to assail the order before the Hon’ble Supreme Court. After hearing learned counsel for the respondents and on perusal of our order, in our considered view, there appears to be no point of law much less any point of law of general public importance involved in the order to grant leave to appeal. Therefore, prayer for grant of leave to appeal stands declined.”

¹ “AFT”, hereinafter



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2. The issue of whether to grant leave to appeal to the Supreme Court under Section 31(1) of the Armed Forces Tribunal Act, 2007 is a clearly discretionary jurisdiction.
3. There is no vested right in the petitioner to seek right to appeal to the Supreme Court.
4. Besides, any number of similar challenges to similar orders passed by the AFT on the aspect of disability pension have been filed by the UOI before this Court.
5. There is, accordingly, no reason for us to interfere with the order dated 5 September 2023 under challenge in the writ petition.
6. The petition is dismissed.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

SEPTEMBER 12, 2025/gunn