



2025:DHC:6861-DB



\$~69

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ W.P.(C) 12185/2025, CM APPL. 49678/2025  
EX-NAIK AJAY KUMAR .....Petitioner

Through: Mr. Abhijit Anand, Adv.

versus

UNION OF INDIA & ORS. ....Respondents  
Through: Mr. Mayank Sharma, Sr. PC  
with Mr. Kamaldeep, GP for UOI with  
Major Anish Murlidhar and Captain Carolin  
Johnson (Army)

**CORAM:**

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

**ORDER (ORAL)**

**13.08.2025**

%

**C.HARI SHANKAR, J.**

1. The order impugned in this writ petition reads thus:

“MA 2781/2024

This is an application filed seeking early hearing of OA 2599/2023.  
In out considered view, no case is made out for out of turn hearing.

2. MA stands dismissed.”

2. We are flabbergasted that such an order has been made subject  
matter of a writ petition under Article 226 of the Constitution of India.

3. It is not for this Court to decide the sequence of hearings by the



2025:DHC:6861-DB



Armed Forces Tribunal<sup>1</sup> of the cases pending before it. We are conscious of the fact that the AFT is dealing with a large volume of work and are sanguine that the AFT is duly prioritising matters as per its roster and the urgency of the cause involved.

4. There is no question of this Court interfering with the order passed by the AFT, which has not deemed it appropriate to grant early hearing to the petitioner.

5. The petitioner can only expect consideration of his case as per its seniority, and the urgency of the cause, keeping in view the number of matters pending before the AFT. The petitioner cannot seek any preferential treatment over other litigants whose cases may be of greater seniority.

6. In any event, the AFT alone can take a view in that regard. It has done so, and we see no cause to interfere.

7. The writ petition is accordingly dismissed.

**C.HARI SHANKAR, J.**

**OM PRAKASH SHUKLA, J.**

**AUGUST 13, 2025/aky**

---

<sup>1</sup> "AFT", hereinafter