



2025:DHC:4071-DB



\$~59

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 6657/2025

LT COL BADAL CHANDRA ROY RETDPetitioner
Through: Mr. Gandharv Kumar Jha, Adv.

versus

UNION OF INDIA & ORS.Respondents
Through: Dr. Vijendra Singh Mahndiyan,
CGSC, Anubhav Tyagi with Major Anish
Muralidhar, Army

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

ORDER (ORAL)

% **19.05.2025**

C. HARI SHANKAR, J.

1. The petitioner is an officer of Army. He seeks disability pension.
2. Dr. Mahndiyan, learned Counsel for the Union of India, advances a preliminary objection that this writ petition is not maintainable as the jurisdiction in this case would lie before the Armed Forces Tribunal¹.
3. Mr. Gandharv Kumar Jha, learned Counsel for the petitioner prays that he may be permitted to prosecute this writ petition before the AFT treating it as an original application.

¹ "AFT" hereinafter



2025:DHC:4071-DB



4. Accordingly, we permit the petitioner to present the writ petition before the AFT.
5. We request the AFT to treat it as an Original Application and deal with it in accordance with law.
6. The Registry is directed to return the papers of this writ petition to the petitioner so that they could be presented before the learned AFT.
7. The writ petition is accordingly disposed of.

C. HARI SHANKAR, J.

AJAY DIGPAUL, J.

MAY 19, 2025

dsn

Click here to check corrigendum, if any