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

+ **W.P.(C) 13358/2024**

KUSHAL CHOUDHARY

.....Petitioner

Through: Mr. Tanvir Ahmed Mir with Mr.
Angad Ahluwalia and Ms. Ritika
Bansal, Mr. Jayant Bajaj, Advs.

versus

ARMED FORCES TRIBUNAL THR. REGISTRAR & ORS.

.....Respondents

Through: Mr. Viplav Acharya, SPC for UOI
Mr. Ashish Rawat, G.P. for UOI
Mr. Hari Krishan Badal, Adv. for R-
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CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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23.09.2024

CM APPL. 55792/2024

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The petitioner, who was the counsel for the applicant in Original Application no. 2575/2024 before the learned Armed Forces Tribunal (AFT), has approached this Court assailing the order dated 04.09.2024 passed by the learned AFT, wherein certain grievances expressed by the father of the applicant therein have been noted.
4. Learned counsel for the petitioner submits that the impugned order, which is likely to damage the reputation of the petitioner, was passed after the petitioner had already been discharged from the matter by the



learned AFT at 10.30 am itself on 04.09.2024. He contends that the learned AFT appears to have been persuaded to pass the impugned order only because the original applicant's father later appeared in the Court and raised certain grievances against the petitioner. He submits that the learned AFT failed to appreciate that before recording the observations which are likely to prejudice the petitioner, he ought to have been put to notice. He, therefore, prays that the impugned observations made in the order, be expunged.

5. Having considered the submissions of learned counsel for the petitioner and perused the record, even though we are of the view that some of the observations made in the impugned order are likely to impact the reputation of the petitioner, the petitioner should first approach the learned AFT for expunction of the impugned observations made in the order dated 04.09.2024.
6. We, therefore, dispose of the writ petition by granting liberty to the petitioner to move an appropriate application before the learned Tribunal seeking expunction of the observations made against him in the impugned order, which, he claims were unwarranted. We, therefore, direct that in case any such application is made by the petitioner, the same will be considered by the learned AFT on its own merits.

REKHA PALLI, J

SHALINDER KAUR, J

SEPTEMBER 23, 2024/acm