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

+ **W.P.(C) 1141/2025**

LT COL AJIT SINGH BALYAN

.....Petitioner

Through: Ms. Astha Sharma, Mr.
Simranjeet Singh Rekhi, Mr.
Sanjeev Kaushik and Ms.
Shriya Mishra, Advs.

versus

UNION OF INDIA THROUGH SECRETARY & ORS.

.....Respondent

Through: Mr. Neeraj, SPC, Mr. Vedansh
Anand, Mr. Sachin Saraswat,
Mr. Soumyadip Chakraborty,
Advs. with Major Anish
Muralidhar

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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30.01.2025

CM APPL. 5616/2025 (exemption)

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

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3. This petition has been filed by the petitioner, challenging the Orders dated 27.08.2024 in O.A. No. 1816/2021 and 26.11.2024 in M.A. No. 5081/2024 in O.A. No. 1816/2021, titled *K Maj Ajit Singh Balyan vs. Union of India & Ors.*, passed by the learned Armed Forces Tribunal, Principal Bench, New Delhi ('AFT'), rejecting the



request of the petitioner for preponement of the date of hearing.

4. The learned counsel for the petitioner submits that not only has the learned AFT rejected the prayer for an early hearing of the petition, but it has also observed that the issue raised in the Original Application filed by the petitioner pertains to policy and administrative matters. He submits that this would raise an issue regarding the maintainability of the Original Application before the learned AFT.

5. We are of the view that the learned counsel for the petitioner is taking the observation of the learned AFT out of context. The said observation was made only for the purpose of determining whether the matter requires an urgent hearing over and above other pending matters before the learned AFT. It is not an expression of opinion on the nature of the matter or the issue raised therein.

6. As far as the prayer for an urgent hearing is concerned, this Court, in the exercise of its power under Article 226 of the Constitution of India, cannot govern or regulate the listing of the matters before the learned AFT.

7. We, therefore, do not find any merit in the present writ petition.

8. The petition is, accordingly, dismissed.

NAVIN CHAWLA, J

SHALINDER KAUR, J

JANUARY 30, 2025
SU/KP/DG

[Click here to check corrigendum, if any](#)