



2025:DHC:2736-DB



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

+ **W.P.(C) 2189/2025 & CM APPL. 10334/2025**

MAJ KAVISH AGGARWALA AND ORSPetitioners

Through: Mr. J. Sai Deepak, Sr. Adv.
with Mr. Shubham Kumar, Mr. Ritesh
Singh, Mr. Uttam Kumar, Mr. Vishal Singh,
Mr. Suraj Pathak, Ms. Kumud Jha and Mr.
Peetam Runthala, Advs.

versus

UNION OF INDIA AND ORSRespondents

Through: Mr. Amit Tiwari, CGSC, Mr.
Hussain Taqvi, GP with Mr. Ayush Tanwar
and Ms. Ayushi Srivastava, Advs.
MAJ Anish Muralidhar for Army

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER (ORAL)

17.04.2025

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C. HARI SHANKAR, J.

1. In this matter, on the last date of hearing, a preliminary objection had been raised by Mr. Tiwari, learned Counsel for the respondents that the present *lis* would lie before the Armed Forces Tribunal¹.

2. Having heard learned Counsel for the parties, we are inclined to

¹ "AFT" hereinafter



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agree with the submission. At this juncture, Mr. J. Sai Deepak, learned Senior Counsel for the petitioners' prays, on instructions, that this writ petition may be transferred to the AFT so as to expedite matters and avoid duplication of the proceedings.

3. Accordingly, we permit the petitioners to present this writ petition along with entire record of this writ petition before the AFT which would deal with the writ petition treating it as an original application in accordance with law.

4. For the said purpose, the Registry is directed to provide the electronic copy of the writ petition to the petitioners so that it can be presented before the AFT.

5. It is made clear that we have not expressed any opinion on the merits of the matter.

6. The writ petition is accordingly dismissed.

C. HARI SHANKAR, J

AJAY DIGPAUL, J

APRIL 17, 2025

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Click here to check corrigendum, if any