



2025:DHC:6331-DB



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

+ **W.P.(C) 11223/2025**

MAJOR NUPUR SHEKHWAT SERVICE NO SS 47131W

DISCHARGED

.....Petitioner

Through: Mr. Kavish Aggarwala, Mr. Shubham Kumar, Mr. Vishal Singh, Mr. Paras Jaiswal and Mr. Uttam Kumar, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Vinay Yadav, Sr. PC with Mr. Siddharth Gautam, Mr Ansh Kalra, Ms. Kamna Behrani, Advs. with Ms. Neha, GP for UOI with Major Anish Muralidhar Army

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)

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31.07.2025

C. HARI SHANKAR, J.

1. This writ petition assails order dated 25 July 2025 passed by the Armed Forces Tribunal¹ in OA 2206/2025. By the said order, the AFT has declined the petitioner's prayer for interim relief.

2. The prayer for interim relief was for stay of an order releasing the petitioner from service. The order was to take effect on 26 July 2025. The prayer for interim relief was taken up by the AFT a day earlier, i.e., on 25 July 2025. The AFT has passed the following order:

¹ "AFT", hereinafter



“Issue notice to the respondents. Mr. Rajeev Kumar, learned counsel accepts notice. Let the reply be filed within two weeks.

2. Even though learned counsel for the applicant seeks stay of the release which is to take effect from tomorrow, considering the fact that release of the applicant was being granted on her own request made vide application dated 22.08.2024 (Annexure A-4) and the applicant had sought for immediate release, at this stage, no case is made out for grant of interim relief. However, in case the release of the applicant is found to be unsustainable after examining the records and evaluating as to whether the so called withdrawal of the application was before acceptance of her application for premature release and whether under the rules such a withdrawal is permissible, at this stage, we are not inclined to grant any interim relief. However, release of the applicant shall be provisional and subject to final decision of this OA.

3. List the matter on 04.09.2025.

4. Order dasti.”

3. Assailing the order, the petitioner has approached this Court.

4. In the interregnum, as there was no stay by the AFT, the petitioner has been released from service.

5. In these circumstances, the writ petition does not survive for consideration. It has been rendered infructuous even before it has come up for hearing, as the order of release of the petitioner stands implemented.

6. Needless to say, the protection granted to the petitioner by the order dated 25 July 2025 passed by the AFT would continue to remain during the pendency of the OA before the AFT.



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7. The writ petition is accordingly disposed of.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

JULY 31, 2025/aky