

**COURT NO. 1, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video-Conferencing)**

4.

OA 1049/2021

WgCdr Anjali Mishra

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Mr. S. S. Pandey, Advocate

For Respondents: Dr. Vijendra Singh Mahndiyan, Advocate

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

**ORDER
10.06.2021**

Issue notice to the respondents. Notice is accepted by Dr. Mahndiyan, Advocate. Let the counter affidavit be filed within six weeks with copy to the learned counsel for the applicant, who may file rejoinder, if any, within two weeks thereafter.

2. Heard on the question of interim relief.

3. Mr. Pandey, learned counsel for the applicant points out that in this case, the claim of the applicant for grant of permanent commission had been considered in an unfair manner and HPR 01 of 2019 has been implemented in an unfair manner without giving due opportunity to the applicant. Mr. Swain, learned counsel for the respondents has refuted the aforesaid contention and submits that in identical cases, interim stay has been rejected and today (04.06.2021), in a similar matter i.e.in *Wg. Cdr. NidhiBandhani v. Union of India and others* (W.P (C) No. 5871 of 2021), the Delhi High Court has upheld the order passed by this Tribunal. Taking note of the same, for the present we see no reason to grant any interim relief.

4. List the matter on **09.08.2021**.

Dasti.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[LT GEN P.M. HARIZ]
MEMBER (A)**

Alex/Jyoti