

COURT NO. 1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

33.

MA 3700/2024 in OA 1272/2023

P Maj Sonia Rajput	Applicant
Versus		
Union of India & Ors.	Respondents

For Applicant	:	Mr. Rakesh Kumar, Advocate
For Respondents	:	Gp Capt Karan Singh Bhati Sr CGSC

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

O R D E R
26.09.2024

Invoking the jurisdiction of this Tribunal u/s 14 of the AFT Act, applicant has filed this application and the relief claimed in the application pertains to grant of Permanent Commission to the applicant. In view of the law laid down by the Hon'ble Supreme Court in various cases namely *Secretary Ministry of Defence Vs Babita Puniya & Ors. decided on 17.02.2020* Civil Appeal Nos. 9367-9369/2011 and in the case of *Union of India and Ors. Vs. Lt Cdr Annie Nagaraja and Ors.* – Civil Appeal Nos.2182-87/2020 decided on 17th March, 2020, the application is pending. The pleadings are complete and during the pendency of the matter, application is filed. MA 3700/2024, wherein the applicant has sought for stay of the release and further submits that in view of the order passed by this Tribunal while hearing the OA on 13.05.2024 as OA 28/2022 finally disposed of by this Tribunal by a detailed judgement passed on 03.07.2024, the

applicant's OA may also be dismissed in terms of the said order passed on 03.07.2024 so that the applicant can also approach the Hon'ble Supreme Court along with other cases which have been challenged by the similar applications before the Hon'ble Supreme Court.

2. Keeping in view the aforesaid, we dispose of the OA in terms of the order already passed by Coordinate Bench of this Tribunal on 03.07.2024 in OA 28/2022 namely *Maj Suvalakshmi Borgohain Vs. Union of India and Ors.* on the grounds and reasons already indicated in the said application. The applicant cannot be granted the benefit as consideration in that has been made and the claim of the applicant is not recommended for Permanent Commission. The application is dismissed and accordingly, both OA and MA are disposed of.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[REAR ADMIRAL DHIREN VIG]
MEMBER (A)**

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