

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

SUPPLEMENTARY LIST

2.

MA 2204/2025 WITH OA 3759/2023

Maj Minakshi Kumari	Applicant
Versus		
Union of India & Ors.	Respondents

For Applicant	:	Mr. S.S. Pandey, Advocate
For Respondents	:	Mr. Anil Gautam, Sr. CGSC

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)

ORDER

15.05.2025/19.05.2025

MA 2204/2025

This application has been filed arising out of an order passed by this Tribunal in OA No.3759/2023.

2. The applicant claimed grant of Permanent Commission (PC) in the OA No.3759/2023 along with various other reliefs. The matter was heard at length and by a detailed order passed on 09.05.2025, the OA was disposed of and on the same date, on an oral prayer being made, after pronouncement of the judgement, in exercise of the power conferred under Section 31 of the Armed Forces Tribunal Act, 2007 (hereinafter referred as AFT Act, 2007), a separate order was passed and leave to appeal was granted under Section 31 of the AFT Act, 2007. In the

meanwhile, on 09.05.2025, the Hon'ble Supreme Court in various other cases arising out of interlocutory applications filed in Civil Appeal No.9747-9757/2024, *Lt. Col. Pooja Pal & Ors. Vs. Union of India & Ors.*, took up various interlocutory applications for hearing and after considering various submissions, in Para 4 of the order passed on 09.05.2025, the Hon'ble Supreme Court issued the following directions:

“4. Without prejudice to the rights of both sides and without creating any equity in favour of the officers, it is directed that all the officers who are presently in service, including Lt. Col Geeta Sharma (applicant in IA No.55208/2025), shall not be relieved and be allowed to continue till the next date(s) of hearing.”

3. As there was some confusion with regard to the applicability of this direction only to the applicants before the Hon'ble Supreme Court or it was to all other similarly situated applicants whose cases are pending in the Hon'ble High Courts and the Armed Forces Tribunal, it is reported that an IA bearing No.126018/2025 in Civil Appeal No(s).9747-9757/2024 was filed by the Union of India seeking clarification with regard to the interim relief granted on 09.05.2025 and it was informed to us today that the order passed on 09.05.2025 has been clarified and it has been directed by the Hon'ble Supreme Court to the effect

that the order passed on 09.05.2025 and the interim relief granted therein shall apply to all cases that are *sub judice* before the Armed Forces Tribunal or any Hon'ble High Court. It is ordered by the Hon'ble Supreme Court that this shall continue till the next date and the next date fixed by the Hon'ble Supreme Court is 06.08.2025.

4. After disposal of the OA No.3759/2023 and leave to appeal granted on 09.05.2025, the applicant again invoked the jurisdiction of this Tribunal by filing MA No.2204/2025, i.e., the present application, on 14.05.2025 indicating that the interim protection granted by the Hon'ble Supreme Court may be applicable in her case as well. The matter was heard by us on 15.05.2025 and we were to pass appropriate orders. However, today we are informed of passing of an order in IA No.126018/2025 in Civil Appeal No(s).9747-9757/2024 by the Hon'ble Supreme Court and Para 2 and 3 of the same are reproduced below:

“2. Heard learned counsel for the non-applicant-petitioners as well as learned ASG for Union of India. The order dated 09.05.2025 is clarified to the effect that:

(i) The interim protection shall apply to all those officers whose matters are pending in the Supreme Court.

(ii) Such protection shall also cover those officers whose cases are sub judice before the Armed Forces Tribunal or the High Courts.

3. However, as directed earlier, this transit arrangement shall continue till the next date of hearing without prejudice to the rights of the parties. It is made clear that the main case shall be taken up on the date fixed, i.e., 06.08.2025 and no adjournment shall be granted.”

5. In view of the above, the services of the applicant shall not be dispensed with. She should file a Civil Appeal before the Hon’ble Supreme Court in pursuance to the leave granted under Section 31 of the AFT Act, 2007 on 09.05.2025 and this order shall continue to be in operation till appropriate directions are issued by the Hon’ble Supreme Court in the Civil Appeal to be filed by the applicant.

6. Accordingly, the MA stands disposed of.

7. A copy of this order be provided **‘DASTI’** to learned counsel for the parties.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[LT GEN C.P. MOHANTY]
MEMBER (A)

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MA 2204/2025