

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

158.

OA 3924/2025

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

For Applicant : Mr. S S Pandey, Advocate
For Respondents : Mr. Prabodh Kumar, Sr. CGSC

CORAM

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

O R D E R
19.12.2025

The matter was admitted and notice was issued to the respondents vide order dated 11.12.2025, while granting interim relief as recorded in Para 3 of the said order reads as under:-

3. In the meanwhile, the applicant shall be permitted to participate provisionally in the counselling held on 12.12.2025 onwards. However, the counselling of the applicant shall be provisional and no equity or right shall be available to her to claim the seat in the matter and the confirmation of seat granted to the applicant, if any, in the counselling shall be subject to the final decision on this application.

2. At the hearing today, the case was pressed on behalf of the applicant in view of the fact that the applicant has succeeded in securing a seat in the PG Counselling and, therefore, seeks leave of this Court to join the course on or before 25.12.2025.

3. Per contra, learned counsel appearing for the respondents has raised objections alleging violation of policy by the applicant, particularly with reference to Paea 11 of the letter issued by the DGAFMS dated 21.03.2025, which reads as under:

11. Offrs may apply to the O/o DGAFMS/DG-1D and on the NBE/MCC web portal) under a particular priority only (i.e.as Prioarity-I or Priority IV) and under no circumstances will applications/requests for change of priority be considered on or after the dt of NEET PG exam.

4. It is contended that since the applicant changed her option from Priority – I to Priority – IV after appearing in the NEET PG Examination, she was not entitled to participate in the counselling process. It is further submitted that the applicant cannot be permitted to join the course without a bona fide No Objection Certificate (NOC) from the respondents. Additionally, reliance has been placed upon a communication dated 29.10.2025, whereby the applicant was allegedly rendered ineligible for PG Counselling 2025.

5. We have heard learned counsel for both sides at length. While considering the interim prayer of the applicant, we take note of the fact that the last date of joining the said course is 31.01.2026.

6. At this stage, without hearing the respondents in detail on the merits of the matter, granting leave to the applicant to

join the PG course would, in our considered opinion, amount to granting final relief at the interim stage which would not be in the interest of justice.

7. In view of the above, we deem it appropriate to hear the matter finally on merits on a date prior to the last date of joining.

8. Accordingly, the Registry is directed to list the matter on 09.01.2026 as per our order dated 11.12.2025.

9. Let the counter affidavit be filed by the respondents at least one week prior to the next date of hearing.

10. It is clarified that no opinion is expressed on the merits of the case at this stage.

11. Let a copy of this order be given ***DASTI*** to both the parties.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

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