

**SPECIAL BENCH  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

1.

**OA 4134/2025**

Lt Col Ashish Arya ..... Applicant  
VERSUS  
Union of India and Ors. ..... Respondents

For Applicant : Mr. S.S. Pandey, Advocate  
For Respondents : Mr. Jatin Teotia, Advocate  
Lt Col Deepak Ranvah, AMS (Legal)

**CORAM**

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

**ORDER**  
31.12.2025

The applicant vide the present OA makes the following  
prayers:-

***“8. RELIEFS SOUGHT:***

*In view of the facts mentioned in Para 4 and 5 above, the Applicant prays that this Hon'ble Tribunal may be graciously pleased to allow the present application by passing following orders/directions:-*

*(a) Call for the records/policy/instruction based on which the Respondents have either not taken a decision to accede to the request of the Applicant for withdrawal /cancellation of the order dated 13.06.2025 and 09.10.2025 before the effective date of his retirement on 03.01.2026 or has rejected the same and thereafter quash/set aside all such orders/instructions being contrary to the established legal principle.*

*(b) Direct the Respondents to allow the Applicant to serve in the Army with all consequential benefits consequent upon setting aside the order dated 13.06.2025 and 09.10.2025.*

*(c) Issue any other/direction as this Hon'ble Tribunal may deem fit in the facts of the case.”*

2. Along with the same is a prayer seeking grant of interim relief to the effect:-

*“Keeping in view, the extreme urgency in the matter and to prevent irreparable damage to the Applicant due to such grossly illegal actions of the Respondents, the Applicant is seeking interim relief from this Hon'ble Tribunal to the effect that till final disposal of the present OA. the operation of the order dated 13.06.2025 and 09.10.2025 shall remain stayed and the Applicant shall not be retired from service in terms of such order w.e.f 03.01.2026 and maintaining the status quo till the final outcome of this Application.”*

3. Notice thereof is issued and accepted on behalf of the respondents.

4. In reply to a specific Court query, on behalf of the respondents, Lt Col Deepak Ranvah, AMS (Legal) submits that the application dated 04.12.2025 of the applicant making a request for cancellation of Premature Release from service has been rejected. Time is sought on behalf of the respondents to produce the order in relation thereto.

6. The matter be re-notified at 02:00 pm today.

**(JUSTICE ANU MALHOTRA)  
MEMBER (J)**

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

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**CORAM**

**HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)**  
**HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)**

**O R D E R**  
**31.12.2025**

Pursuant to earlier proceedings of even date on behalf of the respondents has been produced the original record qua the PMR application of the applicant to submit to the effect that his application for withdrawal of PMR has been rejected by the Military Secretary on 30.12.2025.

2. The respondents also submitted on record a copy of document no. 19(11)2001-D(MS) dated 14.08.2001 in relation to the Delegation of Administrative Powers to Service Hqrs to submit to the effect that the said administrative powers exercised by the Military Secretary have been appropriately exercised in relation thereto.

3. Submissions have been addressed on behalf of either side qua the prayer made by the applicant and the grant of interim relief.

4. The original records produced by the respondents are retained and directed to be placed in a sealed cover.

5. Heard. Reserved.

6. It is not considered appropriate in view of the records submitted on behalf of the respondents to re-notify the matter further, as the detailed analysis qua the prayer for interim relief would entail the adjudication on all issues involved in the matter. Presently, however in view of the records produced by the respondents today and the rejection of his application for withdrawal of the PMR application as rejected on 30.12.2025, we do not consider it appropriate to grant any interim relief and the detailed analysis thereof and of the issues involved shall be made. In view thereof, the matter is reserved for pronouncement of orders on the prayer for interim relief as well as the adjudication of the OA *in toto*.

**(JUSTICE ANU MALHOTRA)  
MEMBER (J)**

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

AP