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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ W.P.(C) 19420/2025, CM APPL. 80890/2025 (Stay) & CM APPL. 80891/2025

UNION OF INDIA & ORS. ....Petitioners  
Through: Mr. Shoumendu Mukherji, SPC  
with Mr. Aniruddha Ghosh, Adv.  
Major Anish Muralidhar for Army

versus

EX RECRUIT DEEPAM THAPA .....Respondent  
Through:

**CORAM:**  
**HON'BLE MR. JUSTICE C. HARI SHANKAR**  
**HON'BLE MR. JUSTICE OM PRAKASH SHUKLA**

**ORDER**  
% **22.12.2025**

**CM APPL. 80891/2025 (Exemption)**

1. Exemption allowed subject to all just exceptions.
2. Application stands disposed of.

**W.P.(C) 19420/2025**

3. This writ petition challenges order dated 11 November 2024 passed by the Armed Forces Tribunal<sup>1</sup> whereby the respondent has been granted invalid pension.

4. Similar matters are pending before this Court in which,

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<sup>1</sup> "AFT", hereinafter



following the order passed by the Supreme Court in SLP(C) Diary 38701/2025<sup>2</sup>, which holds that Officer is entitled to invalid pension only after he completes ten years of service, we have issued notice.

5. However, we have declined from passing any interim orders of stay as the Supreme Court has also not granted any interim relief while issuing notice in the SLP. One such case is WP(C) 12186/2025<sup>3</sup>.

6. Following the order passed in the said case, issue notice to show cause as to why rule *nisi* be not issued.

7. Let notice be served on the respondent by all modes, additionally through Counsel who appeared on behalf of the respondent before the AFT.

8. Counter affidavit, if any, be filed within four weeks with advance copy to learned Counsel for the petitioners who may file rejoinder thereto within four weeks thereof.

9. List on 3 March 2026.

### **CM APPL. 80890/2025 (Stay)**

10. Following the order passed by us in *Ex. Sep Sis Ram*, the petitioners are directed to comply with the order passed by the AFT within a period of twelve weeks. Compliance would, however, be subject to the outcome of the writ petition.

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<sup>2</sup> Order dated 8 August 2025 in **Union of India v. A K Thapa**

<sup>3</sup> **Union of India v Ex. Sep Sis Ram**



**11.** The application is disposed of.

**C. HARI SHANKAR, J**

**OM PRAKASH SHUKLA, J**

**DECEMBER 22, 2025/AR**