

COURT No.3  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

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OA 980/2020 with MA 1097/2020 & 1528/2021

Ex Hony Sub Than Singh	.....	Applicant
VERSUS		
Union of India and Ors.	.....	Respondents

For Applicant	:	Mr. Praveen Kumar, Advocate
For Respondents	:	Ms. Barkha Babbar, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE LT GEN P.M. HARIZ, MEMBER(A)

ORDER  
30.01.2023

MA 1097/2020

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 5715 days in filing the present OA. In view of the judgments of the Hon'ble Supreme Court in the matter of **UoI & Ors Vs Tarsem Singh 2009(1)AISLJ 371** and in **Ex Sep Chain Singh Vs Union of India & Ors (Civil Appeal No. 30073/2017)** and the reasons mentioned, the MA 1097/2020 is allowed despite opposition on behalf of the respondents and the delay of 5715 days in filing the OA 980/2020 is thus condoned. The MA is disposed of accordingly.

MA 1528/2021

This is an application filed on behalf of the respondents for condonation of delay of 151 days in filing the counter affidavit. In view of the reasons explained and in the interest of justice, the delay

in filing the counter affidavit is condoned. The MA is disposed of accordingly.

**OA 980/2020**

The counter affidavit filed by the respondents is taken on record. No rejoinder is sought to be filed by the applicant

Re-list for final hearing on 17.05.2023.

(JUSTICE ANU MALHOTRA)  
MEMBER (J)

(LT GEN P.M. HARIZ)  
MEMBER (A)

CHANANA