

COURT NO. 3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

33.

OA 552/2016 with MA 397/2016

Ex AC 2 Budh Prakash

... Applicant

Versus

Union of India and Ors.

... Respondents

For Applicant : Mr. V.S.Kadian, Advocate

For Respondents : Mr. K.K.Tyagi, Advocate

CORAM :

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)

HON'BLE LT GEN C. P. MOHANTY, MEMBER (A)

ORDER

13.01.2023

MA 397/2016

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of **730** 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 in the application, the MA 397/2016 is allowed and the delay of **730** days in filing the OA 552/2016 is thus condoned. The MA disposed of accordingly.

OA 552/2016

Counter affidavit of the respondents is on the record. No rejoinder is sought to be filed on behalf of the applicant.

The matter be re-notified for final hearing on **04.07.2023**.

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

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

AP/pooja