

COURT No.2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

33.

MA 1707/2024 with MA 1708/2024 in OA 682/2019

UOI & Ors. Applicant
VERSUS
Col Mukesh Juyal (Retd) Respondents

For Applicant : Mr. Prabodh Kumar, Advocate
For Respondents : Mr. Aditya Singh Paur, Advocate

CORAM

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

ORDER
26.04.2024

1. MA 1707/2024 has been filed on behalf of the applicant seeking Leave to Appeal against the order dated 20.11.2023 in OA 682/2019. Along with the same is MA 1708/2024 seeking condonation of 39 days delay in filing the said application. In the interest of justice to the extent that the prayer made in MA 1708/2024 seeks condonation of 39 days delay in filing the application seeking leave to appeal is concerned, the said delay in filing the application MA 1707/2024 is condoned.

2. As regards, the prayer in MA 1707/2024 seeking Leave to Appeal against the order dated 20.11.2023 in OA 682/2019 in view of the verdicts of the Hon'ble Supreme Court in Hon'ble Supreme Court in *Ex. Lac Yogesh Pathania vs. Union of India & Others*, in I.A. No. 1/2016 in Civil Appeal D. No. 14214 of 2016

and in *Union of India & Ors. Vs. Parashottam Dass* in Civil Appeal No. 447/2023 dated 21.03.2023, and in terms of Section-31(1) of the AFT Act, 2007 as there appears to be no point of law much less any point of law of general public importance involved in the order to grant leave to appeal, thus, the prayer for grant of leave to appeal in MA 1707/2024 is declined.

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

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

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