

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

**152.**

**OA 1338/2019 WITH MA 2087/2019**

<b>Ex Cpl Rajeev Kumar (Retd)</b>	<b>.....</b>	<b>Applicant</b>
<b>VERSUS</b>		
<b>Union of India and Ors.</b>	<b>.....</b>	<b>Respondents</b>

<b>For Applicant</b>	<b>:</b>	<b>Mr. Baljeet Singh, Advocate</b>
<b>For Respondents</b>	<b>:</b>	<b>Mr. Waize Ali Noor, Advocate</b>

**CORAM**

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

**ORDER**  
**05.01.2023**

**MA 2087/2019**

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 433 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 2087/2019 is allowed and the delay of 433 days in filing the OA 1338/2019 is thus condoned. The MA is disposed of accordingly.

**OA 1338/2019**

Counter affidavit on behalf of the respondents is on the record. Learned counsel for the applicant submits that no rejoinder is sought to be filed.

Re-list for final hearing on 14.02.2023.

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

**(P.M. HARIZ)**  
**MEMBER (A)**

Neha