

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

16.

OA 2405/2019 WITH MA 2226/2020 & 3284/2019

Ex Sep/AA Dharmendra Haridaya
Narayan Ram Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr Chaitanya Aggarwal, proxy for
Mr. Mohan Kumar Advocate
For Respondents : Ms. Jyotsna Kaushik, Advocate

CORAM

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

ORDER
04.01.2023

MA 3284/2019

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 230 days in filing the present OA. Learned counsel for the respondents fairly does not oppose the prayer made on behalf of applicant. 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 3284/2019 is allowed and the delay of 230 days in filing the OA 2405/2019 is thus condoned. The MA is disposed of accordingly.

MA 2226/2020

This is an application filed on behalf of the respondents for condonation of delay of 106 days in filing the counter affidavit. In view of the reasons explained in the MA and in the interest of justice, the MA 2226/2020 condoning the delay is allowed. The MA thus stands disposed of.

OA 2405/2019

Counter affidavit filed on behalf of the respondents is taken on record. Rejoinder, if any, may be filed within four weeks.

The matter be listed before the Principal Registrar for completion of pleadings on 03.03.2023 and thereafter before this Bench.

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

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