

35.

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 8383 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 2831/2019 is allowed and the delay of 8383 days in filing the OA 1960/2019 is thus condoned. The MA is disposed of accordingly.

OA 1184/2019

Learned counsel for the respondents submits that the counter affidavit in the instant case has been filed vide Diary No.4201/2020 dated 28th September, 2020. However, the same is not on the record. Learned proxy counsel appearing on behalf of the applicant submits that a copy of the counter affidavit has already been received by him and no rejoinder is sought to be filed under the instructions of the main counsel.

Registry to ensure that the defects in the counter affidavit submitted on behalf of the respondents are rectified and the same be placed on record.

List for final hearing on 07.03.2023.

(ANU MALHOTRA)
MEMBER (J)

(P.M. HARIZ)
MEMBER (A)

Neha

