

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

10.

OA 1146/2019 with MA 1862/2019 & MA 2752/2021

Ex JWO Om Prakash Dubey

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Mr. Omprakash Kr Srivastava, Advocate

For Respondents : None

CORAM :

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

HON'BLE LT GEN P. M. HARIZ, MEMBER (A)

O R D E R
02.01.2023

MA 2752/2021

This is an application filed on behalf of the respondents for condonation of delay of 157 days in filing the counter affidavit. In view of the reasons explained in MA 2752/2021 and in the interest of justice and in view of the judgments of the Hon'ble Supreme Court in the matters 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)**, the MA 2752/2021 is allowed and the delay of 157 days in filing the counter affidavit is condoned.

Counter affidavit is taken on record. No rejoinder is sought to be filed by the applicant.

Re-list for final hearing on 13.02.2023.

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

**[LT GEN P. M. HARIZ]
MEMBER (A)**

At this stage Mr. Satya Ranjan Swain, Advocate has put in appearance on behalf of respondents and has been apprised about the proceedings.

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

**[LT GEN P. M. HARIZ]
MEMBER (A)**

Chanana/Neha