

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

12.

MA 4154/2023 with MA 4155/2023 in OA 231/2019

AE(L) AVM Puran Chandra Singh
Rautela(Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Ms. Rajeshwari Mital, proxy for
Mr. Ankush Chowdhary, Advocate
For Respondents : Mr. Y P Singh, Advocate

CORAM

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

ORDER
18.07.2024

Directions dated 17.11.2023 as reproduced in proceedings dated 01.05.2024 *qua* MA 4154/2023 have not be complied with by the applicant.

2. Directions dated 17.11.2023, whereby it was directed to the effect:-

“On behalf of the respondents it is submitted that there is no response sought to be filed to MA 4154/2023 nor to MA 4155/2023.

Vide MA 4155/2023 which is an application under Section 31 (2) of the AFT Act 2007, condonation of 315 days delay is sought in filing the application seeking leave to appeal against the order dated 18.10.2022 in OA 231/2019. Apparently, the application seeking leave to appeal has not been filed within the stipulated period of time.

Vide paragraph 3 of the application in MA 4155/2023, it has been submitted to the effect:-

“3. That after receipt of the impugned rejection order, the applicant could move the requisite application requesting for leave to appeal due to poor medical condition and and is now constrained to file application for condonation of delay for 11 months 2 days”

The documents in relation thereto in support of the submission that the applicant was suffering from poor medical condition and could not file the application seeking leave to appeal, if any, be filed with an affidavit within a period of two weeks with a copy being supplied to the respondents through counsel who shall also conduct the verification of the document before the next date of hearing. Re-list the matter on 05.01.2024,”

qua MA 4155/2023 have not been complied with by the applicant. On behalf of the applicant it is submitted by learned counsel for the applicant that applicant seeks to withdraw both MAs MA 4154/2023 and MA 4155/2023 and that they would be filing a writ petition before the Hon’ble High Court of Delhi.

3. MA 4154/2023 and MA 4155/2023 are thus dismissed as withdrawn as prayed.

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

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

/NMK