

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

44

OA 1233/2016 with MA 916/2016

Ex Nk Zabair Ahmed Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr Praveen Kumar, proxy for Mr. V S
Kadian, Advocate

For Respondents : Dr. Vijendra Singh Mahndiyan, Advocate

CORAM

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

ORDER
30.01.2023

MA 916/2016

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 859 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 916/2016 is allowed despite opposition on behalf of the respondents and the delay of 859 days in filing the OA 1233/2016 is thus condoned. The MA is disposed of accordingly.

OA 1233/2016

No rejoinder is sought to be filed by the applicant.

Re-list for final hearing on 19.05.2023.

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

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

CHANANA