

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

60.

OA 1037/2017 with MA 797/2017

Smt. Kitabo Devi

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Ms Archana Ramesh, 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

03.01.2023

MA 797/2017

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 12571 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 797/2017 is allowed and the delay of 12571 days in filing the OA 1037/2017 is thus condoned. The MA is disposed of accordingly.

OA 1037/2017

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

List the matter for final hearing on 10.02.2023.

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

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

Chanana/Neha