

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

60.

OA 872/2019 WITH MA 1521/2019

Lt Col Dilip Ajwani (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. S.S. Pandey, Advocate
For Respondents : Mr. Rajeev Kumar, Advocate

CORAM

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

ORDER
04.01.2023

MA 1521/2019

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 951 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 1521/2019 is allowed and the delay of 951 days in filing the OA 872/2019 is thus condoned. The MA is disposed of accordingly.

OA 872/2019

Counter affidavit filed by the respondents is taken on record. Counsel for the applicant seeks time to file rejoinder. The same be filed within two weeks.

Re-list for final hearing on **02.03.2023**.

(ANU MALHOTRA)
MEMBER (J)

(P.M. HARIZ)
MEMBER (A)

Chanana/ps/

