

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

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OA 1035/2018 with MA 434/2019 & 917/2018

Ex Hav Yudhvair Singh Applicant
VERSUS
Union of India and Ors. Respondents

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

CORAM

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

**ORDER
14.02.2023**

MA 917/2018

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 1023 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 917/2018 is allowed despite opposition on behalf of the respondents and the delay of 1023 days in filing the OA 1035/2018 is thus condoned. The MA is disposed of accordingly.

MA 434/2019

This is an application filed on behalf of the respondents for condonation of delay of 16 days in filing the counter affidavit. In view of the reasons explained and in the interest of justice, the delay

in filing the counter affidavit is condoned. The MA is disposed of accordingly.

OA 1035/2018

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

Re-list for final hearing on 06.07.2023.

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

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

CHANANA