

COURT NO. 3, ARMED FORCES TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

14.

OA 1144/2019 WITH MA 1860/2019 & 674/2020

Col Mukesh Kumar Khattar (Retd) ... Applicant
Versus

Union of India & Ors. ... Respondents

For Applicant : Mr. Tatsat Shukla proxy for
Mr. Virender Singh Kadian, Advocate

For Respondents : Mr. Arvind Patel, Advocate

CORAM :

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)

HON'BLE LT GEN C P MOHANTY, MEMBER (A)

ORDER
10.01.2023

MA 1860/2019

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 1915 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 1860/2019 is allowed and the delay of 1915 days in filing the OA 1144/2019 is thus condoned. The MA is disposed of accordingly.

MA 674/2020

This is an application filed on behalf of the respondents for condonation of delay of 53 days in filing the counter affidavit. In view of the reasons explained in the MA

and in the interest of justice, the MA is allowed and the delay of 53 days in filing the counter affidavit is condoned.

OA 1144/2019

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

List the matter for final hearing on 17.04.2023.

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

**[LT GEN C P MOHANTY]
MEMBER (A)**

Chanana/ps