

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

30.

OA 1149/2019 WITH MA 1864/2019

Ex CH AA Pradeep Kumar U Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Devendra Kumar, Proxy for
Mr. Ved Prakash, Advocate
For Respondents : Mr. Waize Ali Noor, Advocate

CORAM

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

**ORDER
05.01.2023**

MA 1864/2019

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 352 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 1864/2019 is allowed and the delay of 290 days in filing the OA 1149/2019 is thus condoned. The MA is disposed of accordingly.

OA 1149/2019

The counter affidavit has not been filed till date. Learned counsel for the respondents prays for and is granted four weeks' time to file the counter affidavit as a last opportunity. Rejoinder, if any, may be filed thereafter.

The matter be listed before the Principal Registrar for completion of pleadings on 06.03.2023 and before the Bench thereafter.

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

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

Neha

