

COURT NO. 3, ARMED FORCES TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

27.

OA 1089/2020 WITH MA 1246/2020 & 2300/2022

HFL Vijay Kumar Singh (Retd) ... Applicant
Versus

Union of India & Ors. ...

Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate

For Respondents : Mr. Rajeev Kumar, Advocate

CORAM :

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

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

ORDER
10.01.2023

MA 1246/2020

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 4093 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 1246/2020 is allowed and the delay of 4093 days in filing the OA 1089/2020 is thus condoned. The MA is disposed of accordingly.

MA 2300/2022

This is an application filed on behalf of the respondents for condonation of delay of 664 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 664 days in filing the counter affidavit is condoned.

OA 1089/2020

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

List the matter for final hearing on 19.04.2023.

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

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

Chanana/ps