

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

45

OA 2263/2019 with MA 3169/2019

Ex Hony Nb Sub Bharat Singh Kushwaha Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Ms. Archana Ramesh proxy for,
Mr. Praveen Kumar, Advocate

For Respondents : Mr. D K Sabat, Advocate

CORAM

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

O R D E R
03.02.2023

MA 3169/2019

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 4655 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 3169/2019 is allowed and the delay of 4655 days in filing the OA 2263/2019 is thus condoned. The MA is disposed of accordingly.

OA 2263/2019

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

The matter be re-notified for final hearing on 12.07.2023.

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

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

POQJA