

**COURT No.1, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

110.

OA 2022/2017 with MA 1533/2017

Ex Cpl Ramesh Soni

..... Applicant

Versus

Union of India & Ors.

..... Respondents

For Applicant : Mr. V S Kadian, Advocate

For Respondents : Mr. S R Swain, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON

HON'BLE LT. GEN. SANJIV LANGER, MEMBER (A)

ORDER

12.12.2017

MA 1533/2017:

Heard Mr. Kadian, learned counsel for the applicant and gone through the averments made in the OA and other documents attached thereto. Since there is huge delay in knocking the doors of AFT, the applicant has filed MA 1533/2017 seeking condonation of delay. Mr. Kadian contends that undoubtedly there is huge delay in filing the main OA, but the applicant has been able to explain the said delay spelling out the circumstances of his family. Learned counsel submitted that in case the said delay is condoned, on the grounds carved out in the application which are supported by documentary evidence and the affidavit of the applicant, in that eventuality, on merits, the applicant has a good case on the grounds on which the applicant has been shown the doors.

OA 2022/2017:

Notice to the respondents in main OA as well as MA.

2. Notice is accepted by Mr. S R Swain, learned counsel for the respondents. Service is thus complete.

3. Mr. S R Swain after accepting the notice, has raised preliminary objection that whatever Mr. Kadian has stated on facts, is not correct.

4. Let the respondents spell out all this in their detailed counter affidavit for which we grant four weeks' time. Reply to the MA No.1533/2017 seeking condonation of delay, be also filed within this period only.

6. List again on **30.01.2018**.

(VIRENDER SINGH)
CHAIRPERSON

(SANJIV LANGER)
MEMBER (A)