

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

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OA 77/2019 with MA 209/2021 & 466/2019

Smt Pramod Kumari W/O Late Hav
Sunderpal Singh Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Pushpendra Kumar Dhaka, Advocate
For Respondents : Mr. Rajesh Kr Das, Sr CGSC

CORAM

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

ORDER
30.01.2023

MA 466/2019

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 3638 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 466/2019 is allowed despite opposition on behalf of the respondents and the delay of 3638 days in filing the OA 77/2019 is thus condoned. The MA is disposed of accordingly.

MA 209/2021

This is an application filed on behalf of the respondents for condonation of delay of 45 days in filing the counter affidavit. In view of the reasons explained and in the interest of justice, the delay

in filing the counter affidavit is condoned. The MA is disposed of accordingly.

OA 77/2019

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

Re-list for final hearing on 16.05.2023.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

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

CHANANA