

COURT No.2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

3.

OA 2854/2024 with MA 3231/2024

Ex MACP Nk Vikash Katoch Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ved Prakash, Advocate
For Respondents : Mr. Vijay Joshi, Advocate
Capt. Akanksha Singhal, OIC, Legal Cell

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER
09.08.2024

The applicant vide the present OA makes the following prayers:-

- (a) *Direct the respondents to pay High altitude allowance for the period from 30 Jan 2018 to 27 Apr 2018 with 12% interest.*
- (b) *Any other relief which the Hon'ble Tribunal may deem fit and proper in the fact and circumstances of the case along with cost of the application in favour of the applicant and against the respondents".*

2. MA 3231/2024

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 1615 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 3231/2024 is allowed and the delay of 1615

days in filing the OA 2854/2024 is thus condoned. The MA is disposed of accordingly.

3. OA 2854/2024

Notice of the OA is issued to the respondents and accepted on their behalf. In view of the document placed as Annexure A-2 and as Annexure A-4 on the record, the short affidavit of the respondents be submitted within a period of two weeks specifically in relation to these two documents and the prayer made by the applicant.

4. Re-list the matter on **04.09.2024**.

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

**(REAR ADMIRAL DHIREN VIG)
MEMBER (A)**