

**COURT NO. 3, ARMED FORCES TRIBUNAL**  
**PRINCIPAL BENCH: NEW DELHI**

66.

**OA 944/2018 with MA 633/2021 and 818/2018**

**Ex Sep Sukhvir Singh**

**... Applicant**

**Versus**

**Union of India and Ors.**

**... Respondents**

**For Applicant : Mr. Romil Pathak, Advocate**

**For Respondents : Mr. Shyam Narayan, Advocate**

**CORAM :**

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

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

**ORDER**

**11.01.2023**

**MA 818/2018**

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007, seeking condonation of delay of 1172 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 818/2018 is allowed and the delay of 1172 days in filing the OA 944/2018 is thus condoned despite opposition on behalf of the respondents. The MA is disposed of accordingly.

**MA 633/2021**

This is an application filed on behalf of the respondents for condonation of delay of 337 days in filing the counter affidavit. In view of the reasons explained in the MA and in the interest of justice, the MA 633/2021 seeking the condonation of the delay is allowed. Counter affidavit filed by respondents is taken on the record. The MA thus stands disposed of.

**OA 944/2018**

The rejoinder on behalf of the applicant has been filed.

Pleadings are complete.

Learned counsel for the applicant is stated to be busy in other Bench. The matter be re-notified for final hearing on **02.02.2023.**

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

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

