

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

25.

OA 1347/2020 with MA 1339/2021 and 1596/2020

Ex Hav Babu Lal **... Applicant**

Versus

Union of India and Ors. **... Respondents**

For Applicant : Mr. Ved Prakash, Advocate

For Respondents : Mr. Prabodh Kumar, Advocate

CORAM :

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

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

ORDER
12.01.2023

MA 1596/2020

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 5177 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 1596/2020 is allowed despite opposition of behalf of the respondents and the delay of 577 days in filing the OA 1347/2020 is thus condoned. The MA is disposed of accordingly.

MA 1339/2021

This is an application filed on behalf of the respondents for condonation of delay of 05 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 1347/2020

Counter affidavit filed by the respondents is taken on record.

No rejoinder is sought to be filed by the applicant.

Re- list on 22.05.2023 for final hearing.

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

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

/chanana/ps/