

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

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OA 1226/2020 with MA 1413/2020

WO S Mandal (Retd)	Applicant
VERSUS		
Union of India and Ors.	Respondents

For Applicant	:	Mr. Manoj Kr Gupta, Advocate
For Respondents	:	Mr Sagar Mehlawat, proxy for Mr. Harish V Shankar, Advocate

CORAM

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

ORDER
14.02.2023

MA 1413/2020

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 5297 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 1413/2020 is allowed despite opposition on behalf of the respondents and the delay in filing the OA 1226/2020 is thus condoned. The MA is disposed of accordingly.

OA 1226/2020

Time is sought on behalf of the respondents to file the counter affidavit. The same be filed within four weeks as a last opportunity failing which the right to file the same would stand

automatically closed. No rejoinder is sought to be filed by the applicant.

Re-list for final hearing on 10.07.2023.

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

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

CHANANA