

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

7.

OA 5093/2024 with MA 5323/2024

Ex Sub Badri Prasad Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Ms. Eti, Proxy for
Mr. Ajit Kakkar, Advocate
For Respondents : Mr. Sudhir Kumar, Advocate

CORAM

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

ORDER
13.01.2025

MA 5323/2024

MA 5323/2024 has been filed by the applicant seeking 3203 days delay in institution of the OA, which for reasons mentioned therein and in view of the verdicts of the Hon'ble Apex Court in *UoI & Ors Vs. Tarsem Singh 2009(1)AISLJ 371* is allowed, and the delay condoned.

OA 5080/2024

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

“(a) To set aside the arbitral clause/provision in the Impugned Circular dated 04.01.2023 wherein the applicant is disentitled under the OROP scheme.

(b) To cover the Applicant under the OROP Scheme.

(c) To pass any other appropriate order or relief which this Hon'ble Tribunal deems fit and proper anytime during the proceedings of this case.”

3. Notice thereof is issued to the respondents and accepted on their behalf. Pleadings in the matter be completed by either side within the time frame of three months and the matter be listed before the Joint Registrar on **20.01.2025** for the same.

4. In view of pendency of the issue in relation to prayer clause 8(a) before the Hon'ble Court No. 1 in OA 313/2022 which is reserved for pronouncement of judgment, the Registry is directed to re-notify the matter after disposal of the issue involved in OA 313/2022 by this Tribunal.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(MS. RASIKA CHAUBE)
MEMBER (A)

Yogita