

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

75.

OA 139/2020 with MA 165/2020

Ex Rect Rajat Sharma

... Applicant

Versus

Union of India and Ors.

... Respondents

For Applicant : Mr. Ved Prakash, Advocate

For Respondents : Gp Capt Karan Singh Bhati, Sr. CGSC

CORAM :

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

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

O R D E R

09.01.2023

MA 165/2020

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 319 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 165/2020 is allowed and the delay of 319 days in filing the OA 139/2020 is thus condoned. The MA disposed of accordingly.

OA 139/2020

Counter affidavit filed by the respondents is taken on the record.

No rejoinder is sought to be filed on behalf of the applicant.

The matter be re-notified for final hearing on **28.04.2023.**

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

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

NK/AP