

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

39.

OA 427/2019 WITH MA 989/2019

Ex Sgt Chandra Mani Swain Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. V.S. Kadian, 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 SHASHANK SHEKHAR MISHRA, MEMBER (A)

ORDER
16.01.2023

MA 989/2019

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 360 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 in the application, the MA 989/2019 is allowed in the interest of justice and the delay of 360 days in filing the OA 427/2019 is thus condoned. The MA is disposed of accordingly.

OA 427/2019

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

The matter be re-notified for final hearing on **25.01.2023**.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(LT GEN SHASHANK SHEKHAR MISHRA)
MEMBER (A)

AP/PS