

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

18.

OA 361 /2018 with MA 1917/2018

Ex Sgt Abhaya Kumar Rath

... Applicant

Versus

Union of India & Ors.

...Respondents

For Applicant : Mr. Virender Singh Kadian, Advocate

For Respondents : Mr. Rajesh Kumar Das, Advocate

CORAM:

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE VICE ADMIRAL P. MURUGESAN, MEMBER (A)

**ORDER
27.10.2018**

18.10.2018 was declared holiday. Present case has been taken up today pursuant to notification issued on 17.10.2018.

MA 1917/2018

Vide this application applicant seeks condonation of delay of 92 days in filing counter affidavit of the O.A.. In view of the averments made in the application the delay of 92 days in filing counter affidavit is condoned and the same is taken on record. M.A. stands disposed off.

OA 361/2018

Counsel for the applicant does not want to file rejoinder. Pleadings are complete.

2. List for regular hearing as per seriatim.

**(JUSTICE SUNITA GUPTA)
MEMBER (J)**

**(VICE ADMIRAL P. MURUGESAN)
MEMBER (A)**