

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

43.

OA 1919/2017 with MA 1678/2018

**Ex Hav (Hony Nb Sub) Kanwar**

**Pal Singh Dogra**

**.....Applicant**

**Versus**

**Union of India & Ors.**

**.....Respondents**

**For Applicant** : Mr. V.S. Kadian, Advocate

**For Respondents** : Dr. Vijendra Singh Mahndiyan, Advocate

**CORAM:**

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

**HON'BLE LT.GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**02.01.2019**

**MA 1678/2018**

Vide this application, applicant seeks condonation of delay of 11 days in filing counter affidavit. In view of the averments made in the application the delay in filing the counter affidavit is condoned and the same is taken on record.

2. The M.A. stands disposed off.

**OA 1919/2017**

Counsel for the respondents submits that the applicant had earlier filed an O.A. 402/2017 which was withdrawn by him when the question of maintainability was raised on account of territorial jurisdiction. Present application has been filled with changed address which is at variance with the address of the applicant as available in the service documents. Counsel for the applicant submits that the withdrawal of the earlier O.A. was mentioned in

the present O.A. itself in para 7 and order was also annexed at page 24 as Annexure 8.

2. In view of the objection taken by the respondents it will be desirable to file rejoinder along with the relevant documents. Same be filed within four weeks with copy to the respondents.

3. List on **10.04.2019**.

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

**(LT.GEN. PHILIP CAMPOSE)**  
**MEMBER (A)**

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