

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

13.

MA 557/2019 and MA 558/2019 in OA 694/2015

In the matter of :

Ex Swr Jagbir Singh

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Mr. A.K. Trivedi, Advocate

For Respondents : Dr. Vijendra Singh Mahndiyani, Advocate

CORAM:

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

HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)

ORDER
05.02.2019

M.A. No. 558 of 2019 :

Vide this application, the applicant seeks condonation of 137 days' delay in filing M.A. No. 557 of 2019 seeking recall of the order dated 06.08.2018. In view of the averments made in the application, delay is condoned and M.A. 557 of 2019 is taken on record.

Accordingly, M.A. No. 558 of 2019 stands disposed of.

M.A. No. 557 of 2019 :

By virtue of this MA, the applicant seeks to recall the order dated 06.08.2018. It is submitted that the present OA was given to counsel, Mr. A.K. Trivedi, by another counsel who had initially filed the OA. As the name of the new counsel was not in the cause list, due to oversight, he could not appear on 06.08.2018 and consequently, the OA was dismissed for non-

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prosecution. Restoration of the OA was subjected to the payment of cost of Rs. 5,000/- to the AFT Bar Association, which is stated to have been paid by the applicant.

In view of the averments made in the application, which are duly supported by an affidavit, the application for restoration of OA is allowed. The OA is restored to its original number.

M.A. No. 557 of 2019 stands disposed of accordingly.

O.A. No. 694 of 2015 :

List the matter for hearing on **15th May, 2019.**


[JUSTICE SUNITA GUPTA]
MEMBER (J)


[LT. GEN. SANJIV CHACHRA]
MEMBER (A)

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