

COURT No.2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI
(THROUGH VIRTUAL HEARING)

23.

MA 4148/2022 IN MA 3661/2022 AND
MA 3662/2022 IN OA 456/2016

Ex AC(U/T) Abhishek Joshi Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Vijay Pal Sharma, Advocate
Mr. K.S. Bhandari , Advocate
For Respondents : Mr. Prabodh Kumar, Advocate

CORAM

HON'BLE MS. JUSTICE ANJANA MISHRA, MEMBER (J)
HON'BLE LT GEN BOBBY CHERIAN MATHEWS, MEMBER (A)

ORDER
22.12.2022

MA 4148/2022

For the reasons stated in the application, the same is allowed. MA 3661/2022 and MA 3662/2022 dismissed for non-prosecution on 1st December, 2022, are restored to its file.

MA stands disposed of.

MA 3661/2022

This is an application filed under Section 31 of the Armed Forces Tribunal Act, 2007 seeking leave to appeal to the Hon'ble Supreme Court for impugning the order dated 1st September, 2022 passed in OA 456/2016. There is

also an application being MA 3662/2022 praying for condoning the delay in filing the application for leave to appeal.

On going through the orders, we find that there is no question of law much less any question of law of general public importance involved in the matter to grant leave to appeal. The case in hand was decided on its facts and merit. Moreover, there is no satisfactory explanation for the delay in filing the appeal.

In view of the above, MA 3661/2022 is dismissed both on the grounds of merit and delay.

MA 3662/2022 also stands disposed of.

(ANJANA MISHRA)
MEMBER (J)

(BOBBY CHERIAN MATHEWS)
MEMBER (A)

/vks/priya/ps