

COURT NO. 3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

79.

OA 2031/2018 with MA 104/2023 & 2243/2018

Ex Hav (Nb Sub Manik Chand)

... Applicant

Versus

Union of India and Ors.

... Respondents

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

For Respondents :Mr.Avdhesh Kumar Singh, Advocate

CORAM :

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)

HON'BLE LT GEN C. P. MOHANTY, MEMBER (A)

ORDER

13.01.2023

MA 2243/2018

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of **13140** days in filing the present OA. In view of the judgments of the Hon'ble Supreme Court in the matter of **Uol & 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 2243/2018 is allowed and the delay of **13140** days in filing the OA 2031/2018 is thus condoned despite opposition by the respondents. The MA disposed of accordingly.

MA 104/2023

This is an application filed on behalf of the respondents for condonation of delay of **821** days in filing the counter affidavit. In view of the reasons explained in the MA and in the interest of justice, the MA 104/2023 seeking condonation of the delay is allowed. The MA thus stands disposed of.



OA 2031/2018

Arguments heard.

Order reserved.



**(JUSTICE ANU MALHOTRA]
MEMBER (J)**



**[LT GEN C. P. MOHANTY]
MEMBER (A)**

AP/pooja