

COURT No.3
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

21

OA 1291/2017 with MA 1143/2017

Ex Sgt (Dr.) Omkar Nath Katiyar

..... Applicant

VERSUS

Union of India and Ors.

..... Respondents

For Applicant : Ms Ayushi Mishra, proxy for Mr. S S
Pandey, Advocate

For Respondents : Sergeant, IAF

CORAM

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

HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER

08-02-2023

MA 1143/2017

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 5380 days in filing the present OA. In view of the judgments of the Hon'ble Supreme Court in the matter of **UoI & 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, the MA 1143/2017 is allowed despite opposition on behalf of the respondents and the delay of 538 days in filing the OA 1291/2017 is thus condoned. The MA is disposed of accordingly.

OA 1291/2017

The counter affidavit filed by the respondents is on record. No rejoinder is sought to be filed by the applicant. Pleadings are complete.

Re-list for final hearing on 18.08.2023.


(JUSTICE ANU MALHOTRA)
MEMBER (J)


(LT GEN P.M. HARIZ)
MEMBER (A)

CHANANA