

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

12

OA 1742/2019 with MA 2659/2019 & 1227/2023

Ex MWO Hony FO  
Gaukaran Nath Dubey ..... Applicant  
VERSUS  
Union of India and Ors. ..... Respondents

For Applicant : Mr Trilok Chand, proxy for Mr. U S  
Maurya, Advocate  
For Respondents : Mr Kumar Gaurav, proxy for Mr.  
Avdhesh Kumar Singh, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

O R D E R  
03.04.2023

MA 2659/2019

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 580 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 2659/2019 is allowed and the delay of 580 days in filing the OA 1742/2019 is thus condoned. The MA is disposed of accordingly.

MA 1227/2023

This is an application filed on behalf of the respondents for condonation of delay of 23 days in filing the counter affidavit. In

view of the reasons explained and in the interest of justice, the delay in filing the counter affidavit is condoned. The MA is disposed of accordingly.

**OA 1742/2019**

The counter affidavit filed by the respondents is taken on record.

No rejoinder is sought to be filed by the applicant.

Re-list for final hearing on 03.07.2023.

(JUSTICE ANU MALHOTRA)  
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)  
MEMBER (A)

CHANANA