

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

26.

OA 720/2019 WITH MA 1328/2019 & 1512/2020

Ex Hav Shri Bhagwan

..... **Applicant**

VERSUS

Union of India and Ors.

..... **Respondents**

For Applicant : Mr JP Sharma, proxy for Mr. Virender
Singh Kadian, Advocate

For Respondents : Mr. Arvind Kumar, Advocate

CORAM

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

HON'BLE LT GEN SHASHANK SHEKHAR MISHRA, MEMBER (A)

ORDER

17.01.2023

MA 1328/2019

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 8265 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 1328/2019 is allowed despite opposition on behalf of the respondents and the delay of 8265 days in filing the OA 720/2019 is thus condoned. The MA is disposed of accordingly.

MA 1512/2020

This is an application filed on behalf of the respondents for condonation of delay of 138 days in filing the counter affidavit. In view of the reasons explained in the MA and in the interest of justice, the MA is allowed and the delay of 138 days in filing the counter affidavit is condoned.

OA 720/2019

The counter affidavit is taken on record. No rejoinder is sought to be filed by the applicant.

Re-list for final hearing 17.07.2023.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(LT GEN SHASHANK SHEKHAR MISHRA)
MEMBER (A)

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