

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

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OA 1190/2020 with MA 1371/2020 & 574/2021

HFO Ram Shekher Shukla (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Manoj Kr Gupta, Advocate
For Respondents : Mr. Prabodh Kumar, Advocate

CORAM

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

ORDER
19.04.2023

MA 1371/2020

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 2274 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 1371/2020 is allowed and the delay of 2274 days in filing the OA 1190/2020 is thus condoned. The MA is disposed of accordingly.

MA 574/2021

This is an application filed on behalf of the respondents for condonation of delay of 15 days in filing the counter affidavit. In view of the reasons explained in MA and in the interest of justice, the MA 574/2021 is allowed and the delay in filing the counter affidavit is condoned.

OA 1190/2020

No rejoinder is sought to be filed on behalf of the applicant.
The matter be re-notified for final hearing on 05.09.2023.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

AP/POOJA