

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

49

OA 1206/2020 with MA 1394/2020

Nb Sub/AEC Kamal Kant (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ramesh Chand Sharma, Advocate &
Mr Kamal Kant, Advocate
For Respondents : Mr. Avdhesh Kumar Singh, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

O R D E R
03.02.2023

MA 1394/2020

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 365 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 1394/2020 is allowed and the delay of 365 days in filing the OA 1206/2020 is thus condoned. The MA is disposed of accordingly.

OA 1206/2020

Counter affidavit filed by the respondents is taken on record. No rejoinder is sought to be filed by the applicant.

The matter be re-notified for final hearing on 27.07.2023.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

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

POOJA