

COURT NO. 3, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

11.

OA 1998/2017 with MA 1525/2017

Col Shekhar Singh (Retd)

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Mr. Anil Srivastava, Advocate

For Respondents : Mr. Rajesh Kumar Das, Advocate

CORAM :

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

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

ORDER

03.01.2023

MA 1525/2017

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 245 days in filing the present OA. Learned counsel for the respondents fairly does not oppose the prayer made on behalf of applicant. 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 1525/2017 is allowed and the delay of 245 days in filing the OA 1998/2017 is thus condoned. The MA disposed of accordingly.

OA 1998/2017

Counter affidavit has not been filed on behalf of the respondents. As prayed for, short affidavit is to be filed within ten days. The same be filed accordingly. Rejoinder, if any, may be filed before the next date of hearing.

List the matter on 25.01.2023.

**[JUSTICE ANU MALHOTRA]
MEMBER (J)**

**[LT GEN P. M. HARIZ]
MEMBER (A)**

Chanana/Neha