

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

42.

OA 1587/2020 WITH MA 1740/2021 & 1822/2020

Smt Shukla Avtar W/o Late

Lt Col Avtar Krishna

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Mr. Anil Srivastava, Advocate and
Ms. Ruchi Sharma, Advocate

For Respondents : Dr. Vijendra Singh Mahndiyan, Advocate

CORAM :

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

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

ORDER
06.01.2023

MA 1822/2020

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 15895 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 1822/2020 is allowed and the delay of 15895 days in filing the OA 1587/2020 is thus condoned. The MA is disposed of accordingly.

MA 1740/2021

This is an application filed on behalf of the respondents for condonation of delay of 103 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 103 days in filing the counter affidavit is condoned.

OA 1587/2020

Pleadings are complete. Learned counsel for the applicant seeks directions to the respondents to produce dossiers of the applicant. It has been informed by the applicant an application has already been submitted to the competent authority to produce documents including service record. Learned counsel for the respondents seeks two weeks' time to produce the record, if available, which be so produced.

List the matter for final hearing on 13.02.2023.

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

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

Chanana/Pooja