

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

20.

**OA 1074/2019 WITH MA 1741/2019 & 2536/2022**

**Ex Nk (TS) Pawan Kumar Parihar** .....Applicant  
**VERSUS**  
**Union of India and Ors.** ..... Respondents

**For Applicant** : Mr Praveen Kumar, proxy for Mr. V.S.  
Kadian, Advocate  
**For Respondents** : Mr. Avdhesh Kumar Singh, Advocate

**CORAM**

**HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)**  
**HON'BLE LT GEN C.P. MOHANTY, MEMBER (A)**

**ORDER**  
**23.01.2023**

**MA 1741/2019**

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 1730 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 1741/2019 is allowed despite opposition on behalf of the respondents and the delay of 1730 days in filing the OA 1074/2019 is thus condoned. The MA is disposed of accordingly.

**MA 2536/2022**

This is an application filed on behalf of the respondents for condonation of delay of 456 days in filing the counter affidavit. In view of

the reasons explained and in the interest of justice, the delay in filing the counter affidavit is condoned. The MA is disposed of accordingly.

**OA 1074/2019**

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

Re-list for final hearing on 20.03,2023.

  
(JUSTICE ANU MALHOTRA)  
MEMBER (J)

  
(LT GEN C.P. MOHANTY)  
MEMBER (A)

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