

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

32.

OA 1595/2020 with MA 1629/2021 and MA 1833/2020

Smt Maya Devi W/o

Late NC(E) Moti Lal Sharma

... Applicant

Versus

Union of India and Ors.

... Respondents

For Applicant : Mr. Praveen Kumar, Proxy
Mr. Durgesh Kumar Sharma, Advocate

For Respondents : Mr. Prabodh Kumar, Advocate

CORAM :

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

HON'BLE LT GEN C. P. MOHANTY, MEMBER (A)

O R D E R

09.01.2023

MA 1833/2020

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 5119 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 1833/2020 is allowed and the

delay of 5119 days in filing the OA 1595/2020 is thus condoned. The MA disposed of accordingly.

MA 1629/2021

This is an application filed on behalf of the respondents for condonation of delay of 107 days in filing the Counter affidavit. In view of the reasons explained in the MA and in the interest of justice, the MA 1629/2021 seeking the condonation of the delay is allowed. Counter affidavit is taken on the record. The MA thus stands disposed of.

OA 1595/2020

Counter affidavit filed by the respondents is taken on record. Rejoinder is already on the record.

The matter be re-notified for final hearing on **03.04.2023.**

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

**[LT GEN C. P. MOHANTY]
MEMBER (A)**