

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

28

OA 1531/2022 with MA 1999/2022

Brig Udai Jawa Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Rajiv Manglik, Advocate
For Respondents : Mr. Rajesh Kumar Das Sr CGSC

CORAM

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

ORDER
03.02.2023

MA 1999/2022

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 93 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 1999/2022 is allowed and the delay of 93 days in filing the OA 1531/2022 is thus condoned. The MA is disposed of accordingly.

OA 1531/2022

Learned counsel for the respondents prays for and is granted three weeks' time to file counter affidavit failing which right to file the same would stand automatically closed. Rejoinder, if any, may be filed thereafter.

The matter be listed before the Principal Registrar for completion of pleadings on 24.04.2023 and before the Bench thereafter.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

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