

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

12.

OA 1298/2019 with MA 2039/2019 and MA 323/2021

Ex POA (AH) Dinesh Singh ... Applicant

Versus

Union of India and Ors. ... Respondents

For Applicant : Mr. Praveen Kumar, Advocate

For Respondents : Mr. Anil Gautam, Sr. CGSC

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 2039/2019

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 292 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 2039/2019 is allowed and the delay of 292 days in filing the OA 1298/2019 is thus condoned. The MA disposed of accordingly.

MA 323/2021

This is an application filed on behalf of the respondents for condonation of delay of 20 days in filing the counter affidavit. In view of the reasons explained in the MA and in the interest of justice, the MA 323/2021 seeking the condonation of the delay is allowed.

The MA thus stands disposed of.

OA 1298/2019

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

The matter be re-notified for final hearing on **29.03.2023**.

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

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