

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

61.

OA 204/2020 with MA 223/2020

Ex MWO (HFO) Soumendra Kumar Guha ... Applicant

Versus

Union of India and Ors. ... Respondents

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

For Respondents : Mr. V. Pattabhiram, Advocate

CORAM :

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

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

ORDER
13.01.2023

MA 223/2020

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 3829 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 in the application, the MA 223/2020 is allowed and the delay of 3829 days in filing the OA 204/2020 is thus condoned. The MA⁶ disposed of accordingly.

OA 204/2020

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

The matter be re-notified for final hearing on **07.07.2023**.

(JUSTICE ANU MALHOTRA]
MEMBER (J)

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

AP/pooja