

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

19

OA 1822/2023 with MA 2633/2023

Kuldip Kumar S/o Ex Nk (Late)
Om Prakash Yadav Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Ms Chhavi Yadav, Mr. Ajit Kakkar,
Advocate
For Respondents : Ms Sheetal Raghuvanshi, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER
14.07.2023

MA 2633/2023

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 235 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 2633/2023 is allowed and the delay of 235 days in filing the OA 1822/2023 is thus condoned. The MA is disposed of accordingly.

OA 1822/2023

Heard.
2. Admit.

3. Issue notice of the OA. Ms. Sheetal Raghuvanshi, Advocate appearing on behalf of the respondents accepts notice. She seeks and is granted four weeks' time to file the counter affidavit. Rejoinder, if any, may be filed within four weeks thereafter.

4. Re-list before the Court of the Principal Registrar for completion of the pleadings on 25.09.2023 and thereafter before the Bench.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN YIG)
MEMBER (A)

CHANANA