

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

33.

OA 552/2016 with MA 397/2016

Ex AC 2 Budh Prakash

... Applicant

Versus

Union of India and Ors.

... Respondents

For Applicant : Mr. V.S.Kadian, Advocate

For Respondents : Mr. K.K.Tyagi, Advocate

CORAM :

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

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

ORDER

13.01.2023

MA 397/2016

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 730 days in filing the present OA. In view of the judgments of the Hon'ble Supreme Court in the matter of **Uol & 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 397/2016 is allowed and the delay of 730 days in filing the OA 552/2016 is thus condoned. The MA disposed of accordingly.

OA 552/2016

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 **04.07.2023**.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

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

AP/pooja