COURT No.2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

6.

OA 3297/2023 with MA 4458/2023

Hav Karm Singh (Retd) ..... Applicant
VERSUS
Union of India and Ors. ..... Respondents

For Applicant : Mr. U S Maurya, Advocate
For Respondents : Mr Waize Ali Noor, Advocate

CORAM

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

ORDER
26.10.2023

MA 4458/2023

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 1884 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 4458/2023 is allowed despite opposition on behalf of the respondents and the delay of 1884 days in filing the OA 3297/2023 is thus condoned. The MA is disposed of accordingly.

OA 3297/2023

2. Heard.

3. Issue notice.

4. Mr. Waize Ali Noor, Advocate appearing on behalf of the respondents accepts notice. He seeks and is granted four weeks' time to file the counter affidavit with an advance copy to the applicant through counsel. Rejoinder, if any, may be filed within four weeks thereafter.

5. List before the Court of the Principal Registrar on 08.01.2024 for completion of the pleadings and thereafter before the Bench.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

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

CHANANA