

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

41.

OA 597/2017 with MA 512/2017 and MA 513/2017

Ex CPO RC Ramphal

... Applicant

Versus

Union of India and Ors.

... Respondents

For Applicant : Mr. S C Tomar, Advocate

For Respondents : Mr. Prabodh Kumar, Advocate

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 512/2017

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 24 years 09 months and 10 days (9040 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 3138/2022 is allowed and the delay of 24 years 09 months and 10 days (9040 days) in filing the OA 597/2017 is thus condoned despite opposition by the respondents. The MA disposed of accordingly.

OA 597/2017

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

The MA 513/2017 filed by the applicant shall be heard at the stage of final hearing.

The matter be re-notified for final hearing on **06.04.2023.**

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

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