

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

50.

OA 164/2019 WITH MA 578/2019 & 776/2020

Ex Sep Barge Vinayak Rao  
Jotiram (Deceased) through Smt Lata  
Vinayak Barge (wife) ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Ms. Archana Ramesh, Advocate  
For Respondents : Mr. Neeraj, Sr. CGSC

CORAM

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

ORDER  
04.01.2023

MA 578/2019

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 109 days in filing the present OA. Learned counsel for the respondents fairly does not oppose the prayer made on behalf of applicant. 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 578/2019 is allowed and the delay of 109 days in filing the OA 164/2019 is thus condoned. The MA disposed of accordingly.

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MA 776/2020

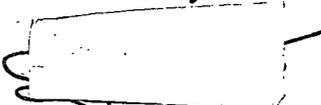
This is an application filed on behalf of the applicant seeking condonation of 160 days delay in filing the rejoinder. In view of the reasons mentioned, the MA is allowed. The delay is condoned. Rejoinder is taken on record.

**OA 164/2019**

Pleadings are complete.

Re-list for final hearing on **02.03.2023**.

  
(ANU MALHOTRA)  
MEMBER (J)

  
(P.M. HARIZ)  
MEMBER (A)

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