

COURT NO. 3, ARMED FORCES TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

54.

OA 274/2019 WITH MA 733/2019

**Ex PO (U/CI) Birla Ram Lamba
Versus**

... Applicant

Union of India & Ors.

... Respondents

For Applicant : Mr. Ved Prakash, Advocate &
Mr. Devendra Kumar, Advocate

For Respondents : Mr. Arvind Patel, Advocate

CORAM :

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

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

ORDER

10.01.2023

MA 733/2019

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 90 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 733/2019 is allowed despite opposition on behalf of the respondents and the delay of 90 days in filing the OA 274/2019 is thus condoned. The MA is disposed of accordingly.

OA 274/2019

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

Re-list for final hearing on 24.04.2023.

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[JUSTICE ANU MALHOTRA]
MEMBER (J)

[LT GEN C P MOHANTY]
MEMBER (A)

Chanana/Neha