

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

40.

OA 1218/2020 WITH MA 757/2021

Nb Sub/AEC Deepak Raja

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Mr. Indra Sen Singh, Advocate and
Mr. Abhishek Singh, Advocate

For Respondents : Mr. Y.P. Singh, Advocate

CORAM :

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

HON'BLE LT GEN P. M. HARIZ, MEMBER (A)

O R D E R
06.01.2023

MA 757/2021

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 149 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 757/2021 is allowed and the delay of 149 days in filing the OA 1268/2020 is thus condoned. The MA is disposed of accordingly.

OA 1218/2020

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

List the matter for final hearing on 16.03.2023.

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

**[LT GEN P. M. HARIZ]
MEMBER (A)**

Chanana/Pooja