

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

11.

OA 561/2019 with MA 1136/2019

Ex JWO Sanjay Kumar Sharma	.....	Applicant
VERSUS		
Union of India and Ors.	.....	Respondents

For Applicant	:	Mr. Praveen Kumar, Advocate
For Respondents	:	Mr. Satya Ranjan Swain, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER  
04.09.2023

In reply to a specific Court Query on behalf of the respondents has been submitted the letter dated 05.12.2019 indicated to the effect that the applicant's first appeal was declined.

A perusal of the records indicates that the present OA was filed on 29.03.2019. The first appeal was filed by the applicant on 03.12.2018 admittedly. The present OA has not even been filed in conformity with Section 21(2)(b) of the AFT Act, 2007, in as much as even a period of six months had not far lapsed the date of the first appeal dated 03.12.2018 before institution of the present OA.

However, taking into account the factum that the present OA has been pending since the date of inception i.e. 29.03.2019

and the factum that the first appeal of the applicant has since been disposed of, the respondents are directed to treat the present OA as the second appeal and dispose of same within a period of three months from today.

Copy of this order be given DASTI as prayed.

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(JUSTICE ANU MALHOTRA)  
MEMBER (J)

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(REAR ADMIRAL DHIREN VIG)  
MEMBER (A)

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