

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

1.

OA 2045/2024 with MA 2508/2024

JWO Inder Singh Bhardwaj (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Manoj Kr Gupta &
Ms.Prachi Chaturvedi, Advocate
For Respondents : None

CORAM

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

ORDER
03.07.2024

MA 2508/2024

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 17963 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 2508/2024 is allowed despite opposition on behalf of the respondents and the delay of 17963 days in filing the OA 2045/2024 is thus condoned. The MA 2508/2024 is disposed of accordingly.

OA 2045/2024

Notice of the OA is issued and accepted on behalf of the respondents. The pleadings in the matter be completed by either side

within a time frame of three months. The matter be listed before the Principal Registrar on 12.07.2024 for completion of pleadings. However, in view of the reliance that has been placed on behalf of the applicant on the order dated 13.10.2022 in OA 704/2022 in *Lt Gen Gorakh Nath(Retd) vs. UOI & Ors.* which itself is based on the orders dated 14.07.2022 in OA 1102/2022 in *Sqn Ldr Yogesh Kumar Chaudhary vs. UOI & Ors.* and in view of the order dated 06.09.2023 of the Hon'ble Supreme Court in Civil Appeal Diary No 30371/2023, the Registry is directed to re-notify the matter after disposal of Civil Appeal 30371/2023 by the Hon'ble Supreme Court.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL) DHIREN VIG
MEMBER (A)