

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

112

OA 268/2020 WITH MA 338/2020

JWO Sanjay Kumar Mishra
VERSUS
Union of India and Ors.

..... Applicant

..... Respondents

For Applicant : None
For Respondents : Mr. Prabodh Kumar, Advocate

CORAM

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

ORDER
23.01.2023

MA 338/2020

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 265 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 338/2020 is allowed and the delay of 265 days in filing the OA 268/2020 is thus condoned. The MA is disposed of accordingly

OA 268/2020

The counter affidavit filed by the respondents is on record.
Rejoinder, if any, may be filed by the applicant within four weeks.

Re-list for final hearing on 28.03.2023.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(LT GEN C.P. MOHANTY)
MEMBER (A)

CHANANA