

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

16.

OA 4118/2024 with MA 4346/2024 & 4347/2024

M Hav (ACP-1) Jajati Keshari Barik (Retd) & Ors.		Applicant
VERSUS		
Union of India and Ors.		Respondents

For Applicant	:	Mr. U.S. Maurya, proxy for Mr. Madan Pal Vats & Mr. Abhay Kant Upadhyaya, Advocates
For Respondents	:	Mr. Prabodh Kumar, Advocate

CORAM

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

ORDER
09.10.2024

MA 4347/2024

MA 4347/2024 has been filed by the three applicants seeking to join together to institute the OA submitting to the effect that their prayers are premised on the same cause of action, the respondents having not granted the OROP benefits to them in as much as they opted for discharge on their own request. Counsel present submits that he represents all the three applicants. In view thereof, MA 4347/2024 is allowed and the three applicants are allowed to join together to institute the present OA. MA 4347/2024 is disposed of accordingly.

MA 4346/2024

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 1903 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 4346/2024 is allowed despite opposition on behalf of the respondents and the delay of 1903 days in filing the OA 4118/2024 is thus condoned. The MA 4346/2024 is disposed of accordingly.

OA 4118/2024

Notice of the OA is issued and accepted on behalf of the respondents. The pleadings in the matter are directed to be completed by either side within a period of three months. The matter be listed before the Joint Registrar for completion of pleadings on 18.10.2024.

Re-list the matter on 05.02.2025

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)