

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

42.

OA 1401/2019 WITH MA 2154/2019

Ex Hav (Hony Nb Sub) Drona Charya Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Ved Prakash, Advocate
For Respondents : Mr. Shyam Narayan, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE LT GEN SHASHANK SHEKHAR MISHRA, MEMBER (A)

ORDER
16.01.2023

MA 2154/2019

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 11486 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 in the application, the MA 2154/2019 is allowed and the delay of 11486 days in filing the OA 1401/2019 is thus condoned. The MA is disposed of accordingly.

OA 1401/2019

On behalf of the respondents has been submitted that copy of the communication dated 17/05/2021 no. OA NO. 1401/2019/SP/CC/LC indicating to the effect that service pension of the applicant has been required to be *suo-moto* revised by the Pension Disbursement Agency without any PPO.

Learned counsel for the applicant seeks time to seek instructions.

The matter be re-notified for final hearing on **25.04.2023**.

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

**(LT GEN SHASHANK SHEKHAR MISHRA)
MEMBER (A)**

AP/PS

