

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

**82.**

**OA 1408/2019 with MA 2162/2019**

**Ex Nk Sunil Kumar**

**... Applicant**

**Versus**

**Union of India & Ors.**

**... Respondents**

**For Applicant** : Mr. Praveen Kumar, Advocate

**For Respondents** : Mr. Prabodh Kumar, Advocate

**CORAM :**

**HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)**

**HON'BLE LT GEN P. M. HARIZ, MEMBER (A)**

**O R D E R**

**03.01.2023**

**MA 2162/2019**

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 1469 days in filing the present OA. Learned counsel for the respondents fairly does not oppose the prayer made on behalf of applicant. 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 2162/2019 is allowed and the delay of 1469 days in filing the OA 1408/2019 is thus condoned. The MA is disposed of accordingly.

**OA 1408/2019**

Counter affidavit filed by the respondents is on record.  
No rejoinder is sought to be filed on behalf of the applicant.

List for final hearing on 15.02.2023.

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

**[LT GEN P. M. HARIZ]  
MEMBER (A)**

Chanana/Neha

