

**ARMED FORCES TRIBUNAL, REGIONAL BENCH CHANDIGARH  
AT CHANDIMANDIR**

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**MA 1735 & 1736 of 2018 in OA 1490 of 2018****Thursday, the 13<sup>th</sup> day of Sep, 2018****CORAM:****HON'BLE MR JUSTICE M.S. CHAUHAN, MEMBER (J)****HON'BLE LT GEN MUNISH SIBAL, MEMBER (A)****Bhagwan Singh**

.....

**Non- Applicant**

(By )

**Versus****Union of India and others**

.....

**Applicant/ Respondents**

(By Mrs Manisha Garg, Sr PC, Advocate )

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**ORDER****MA 1735 of 2018**

Heard.

From the reasons stated in the application which is supported by an affidavit and submissions made at the bar, we are satisfied that the applicants were prevented by sufficient cause from approaching this Tribunal under section 31 of the Armed Forces Tribunal Act, 2007 within time. Therefore, delay of 122 days in filing application for leave to appeal is condoned.

MA is disposed of accordingly.

**MA 1736 of 2018**

Heard.

Non-applicant had approached this Tribunal by way of OA No. 1490 of 2018 with a prayer that short fall of one year 16 days in his qualifying service as regards Defence Security Corps be condoned. The OA was allowed vide order dated 09.05.2018 relying upon the order of Hon'ble

Supreme Court of India passed in the case of **Union of India and Another vs. Surinder Singh Parmar 2015 (3) SCC 404.**

Now, by way of this application applicants i.e. Union of India etc. seek leave to appeal against the aforesaid order. However, during the course of hearing learned counsel for the applicants has admitted that applicants have not sought review of order of Hon'ble Supreme Court of India in the case Union of India & another vs. Surinder Singh Parmar 2015 (3) SCC 404. That being so we are unable to understand why the applicants want to challenge an order condoning one year 16 days shortfall in qualifying service of the applicant when in similar circumstances the aforesaid orders have not been challenged by them. Even otherwise learned counsel for the applicants has not been able to satisfy us that a point of general public importance is involved in the matter.

In the consequence leave to appeal is declined.

**(Munish Sibal)**  
**Member (A)**  
'sp'

**(M.S. Chauhan)**  
**Member (J)**